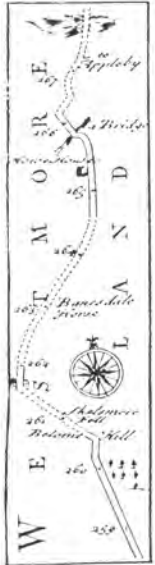
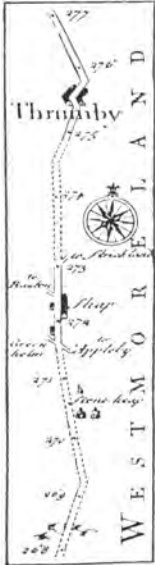


Hierarchy of Trail Routes

First Report - 1997



An Exportable Model in Consensus Management

MOTORING ORGANISATIONS'
LARA
 LAND ACCESS & RECREATION ASSOCIATION

 Lake District
 National Park Authority

**COUNTRYSIDE
 COMMISSION**

Lake District Hierarchy of Trail Routes – First Report – 1997



Recreational use of the unsealed roads of the Lake District with vehicles has a long history; this Abraham photograph is at least 100 years old

Initial research by Amanda Wilkinson – this text by Alan Kind of Hodology Ltd
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*Front cover mapping dates from around 1770, 1810, 1890, 1910, 1930; page 10 from 1930 and 1940
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Lake District Hierarchy of Trail Routes – First Report – 1997

1. Introduction

This report catalogues the first three years of a pioneering project: the Hierarchy of Trail Routes initiative (HoTR), located within the Lake District National Park. HoTR came about as a reaction to a potentially serious situation: the National Park Authority was concerned at an apparent upsurge in the use of four-wheel-drive (4WD) vehicles for recreational driving on the 'green roads' in the National Park. A focus of this general problem was two routes with dual-classification across an area known as Bethacar Moor in the south of the Lake District.

A meeting was called by the Head of Park Management of the Lake District National Park Authority to discuss the situation. A key factor here was the invitation, from the outset, to LARA, Cumbria County Council (as highway authority) and representatives of the Parish Council and landowners. This made for a co-operative, rather than haphazard, approach. There was considerable temptation to rely on traditional legalistic measures; however it was eventually agreed that resort to the law had not previously led to sustainable solutions. The vehicle users suggested that the problem could be managed without recourse to bans and the adoption of hard-edged policies.

To their credit, and with some bravery in the face of doctrinal opposition from anti-vehicle groups, the Lake District National Park Authority decided there was potentially a lot to gain, and nothing to lose, from working with motor users to give their ideas an airing. This joint initiative became the Lake District Hierarchy of Trail Routes.

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 being discussed, so were pilot applications of management control being applied. The consequence of this was a very fast process of evolution, acceptance and application for the concept of authority-approved, user-led, non-statutory management measures.

Has it worked? Has anything useful been created?

Three years on, the various groups involved are still active participants. Reports from field officers suggest that recreational motor use is generating fewer complaints than when the project started, and most importantly, where problems arise, or when complaints are received, the National Park Authority has a means of resolving these which is not a drain on their own resources. Perhaps a measure of success is that authorities in other areas of England and Wales have heard of the project and want to know what was done, how, and what has been achieved. This report explains the why and the how of the Hierarchy of Trail Routes initiative so that the lessons learned might be replicated and applied elsewhere.

We, the partners, think that the Hierarchy of Trail Routes initiative has broken through the old, discredited, entrenched positions of 'us manager – you user' and shows how, in one of the most beautiful and popular places in Britain, a much-criticised minority recreation can be better managed, and accommodated, through a flexible, forward-thinking and above all non-legalistic approach.

Bob Cartwright Head of Park Management, LDNPA
Geoff Wilson Deputy Chairman, LARA, and resident of Cumbria

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2. Terminology

This is not an exhaustive glossary of the terms used in this report. A more detailed exposition can be found in the LARA Access Guide, available from LARA HQ.

Trail Route	A non-statutory descriptive term indicating a minor public road open to vehicles, but generally without a surface for the passage of everyday motor traffic. Route indicates that such a road is usually enjoyed as part of a longer outing.
Trail Bike	A road-legal motorcycle designed to cope with rough roads. Not designed, or intended, for competition use.
Four-Wheel-Drive, 4WD, 4x4	In the context of trail routes, denotes a conventional road-legal 4WD motor car, used for recreation, but mostly the owner's usual means of transport.
Scrambler/Scrambling	A traditional, but now largely obsolete, misunderstood and inappropriate term for motorcycle riding on rough country. Sometimes still used as a description for organised motorcycle competition (now usually called Moto-Cross or Moto-X) but in many management and structure plans is used (mistakenly) to describe casual – sometimes illegal – motorcycling on open countryside.
Byway or BOAT	A Byway Open to All Traffic (BOAT) is a class of minor vehicular road recorded in the 'definitive map' of public rights of way. By definition, a BOAT is mainly used by non-vehicular traffic and is not usually surfaced suitable for general vehicular use.
Unclassified (County) Road (UCR)	A publicly-maintainable road at the bottom end of the scheme of ordinary roads (lower than A & B roads). Some UCRs have never been tarred, and there is some debate as to whether all UCRs are public vehicular roads, but in the countryside there is a general presumption that they are. The term 'county' road is obsolete but still used.
Road Used as a Public Path (RUPP)	RUPP was a statutory description of minor highways introduced by the National Parks (etc) Act 1949, as a way of recording green roads. RUPPs are 'highways other than public paths, used by the public mainly for the purposes for which footpaths and bridleways are so used'.
Dual-Status Road	In Westmorland many RUPPs were also recorded as UCRs. After the reclassification process these are recorded in two official registers: the definitive map and the list of streets. One road might be a UCR in the list of streets and a bridleway in the definitive map, hence dual-status.
Traffic Regulation Order (TRO)	TROs are the orders by which highway authorities manage traffic: no entry; no waiting; weight limit; prohibition of driving; etc. TROs may be permanent (eg typically 'no entry') or temporary (eg prohibition of driving during road repairs).
Heritage Byway	A description advocated by LARA to denote an old carriageway with special character and history. A Heritage Byway would attract protection against modern surfacing, street furniture and development, but reasonable use would be encouraged to maintain its physical nature as something other than a bridleway or footpath.
Green Road	A commonly-used description for a road without a sealed surface for motor traffic. A green road might, in law and practice, be just a bridleway or footpath – or even completely private – but general usage, especially in the various 'Green Road Codes' uses the term to denote a general-purpose road not provided with a surface for the everyday passage of modern motor traffic.

3. Recreational use of Trail Routes

There is nothing new in the use of motor vehicles on the minor highways of the Lake District. In the days preceding the First World War, the doyen of Lake District rock climbers, George D Abraham, was making pioneering ascents of Lake District passes. In *Motor Ways in Lakeland* (1913) he recalls and pictures the first car to cross the Hard Knott and Wrynose Passes, years before either road was tarred. Motorcycles, being somewhat ahead of cars in development, had long since surmounted these roads.

This ordinary use of what locals viewed as ordinary roads continued through the century. Cumberland and Westmorland became home to a number of respected motor and motorcycle clubs, and many early 'reliability trials' used what we now describe as Trail Routes. For decades, local men and women have driven their cars and motorcycles on these old roads for the love of the fells and valleys and the enjoyment of travel and exploration.

Motorcycle trail riding – riding the old roads for enjoyment of the countryside and the exercise of skill – increased in popularity in the early 1970s with the introduction of Japanese, purpose-designed, trail motorcycles. The national trail riding organisation, the Trail Riders Fellowship (founded 1970) has always had a Cumbria group, and the Lake District is a popular destination for visiting trail riders, many of whom (perhaps most) it must be said, come in the off-season for most other visitors. Levels of motorcycle trail riding have been largely stable for the past twenty years. There is no evidence of any recent upsurge.

The rugged Lake District terrain attracts some informal and some illegal vehicle use, which ebbs and flows throughout the National Park. Sometimes, innocently or deliberately, this is mis-described as trail riding or driving.

The use of 4WD cars for recreation has always been at a lower level than motorcycle trail riding. That said, for almost 50 years now, a small but dedicated number of Landrover enthusiasts has explored the old roads. They tend, of course, to blend in with all the farmer- and land-manager-owned Landrovers in the National Park. In the late 1980s the Japanese-led sudden increase in 4WD sales led to an upsurge in 4WD trail driving. This did cause problems of erosion in some parts of the country, and a wave of anti-vehicle campaigning, while the motor organisations operating under the LARA banner worked to educate and inform drivers of their responsibilities in the countryside. Ten years on, the level of 4WD trail driving seems to have stabilised.

Commercial 'safari' and 4x4 driver-training companies have started up, but seem to have a limited commercial viability and lifespan. Where these operate in the Lake District evidence suggests that their impact can be significantly higher than occasional use by individuals and clubs. A need to address the use of the Bethacar Moor UCR by 4WD safari operators was a factor in the creation of the Hierarchy of Trail Routes initiative in 1994.

The current situation with the Lake District Trail Routes is somewhat clouded because of the way some of these roads have been recorded and handled since 1930. The true status of each road is not as clear as it should be; a position recognised – and sidestepped – by the HoTR initiative as the means of practical management.

Wordsworth – 1820

'... that travellers after pleasure have become not less active and more numerous than those who in former times left their houses only for the purpose of gain.'

LDNPA Management Plan (Draft)

Aug 1997 (page 24)

'... but whether an activity is a means of enjoying the Lake District or the Lake District merely a convenient area in which to enjoy the activity, is also an important but not overriding consideration.'

The HoTR initiative is based on the understanding that application of legal constraints from entrenched positions on either side has not led to sensible management of sustainable trail use.

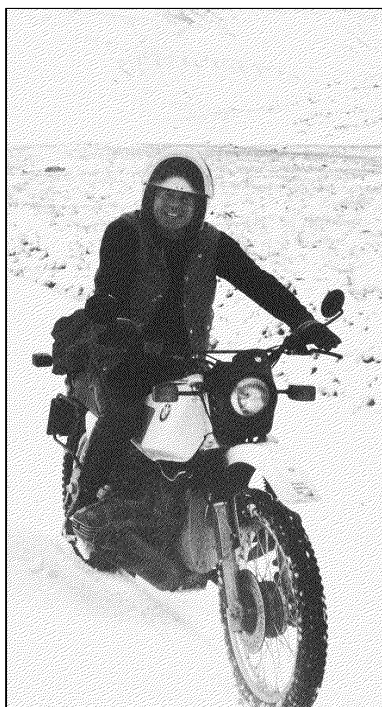
Geoff Wilson at the meeting 'Four-Wheel Drive Activity in the Lake District' – January 1995

'For twenty five years we have tried to apply legal frameworks to the solution of vehicular rights of way problems. It has been twenty five years of intellectual trench warfare with the battlefield doing no more than vibrate, as Byway claims were won and lost. I don't plan to spend the next twenty five years doing the same. The legal system applied to rights of way does not work; future generations deserve better.'

The suitability factor

When RUPPs were reclassified under the 1968 Countryside Act procedures, one of the criteria applied to deciding the status to be recorded in future was 'suitability'. In practice this test proved to be unacceptably subjective in application by the authorities responsible for making and confirming reclassification orders. The test was removed from the reclassification process by the 1981 Wildlife & Countryside Act. Vehicular users fear a suitability test, believing it was unfairly used to deny their rights once and for all.

In contrast, the HoTR initiative employs the test of sustainability as a dynamic feature of trail use management.



Old Coach Road, Matterdale.
Trail riding is an all-year-round activity.

4. The Legal Minefield

The HoTR initiative is based on the understanding that application of legal constraints from entrenched positions on either side has not led to sensible management of sustainable trail use. To understand this, it is helpful to have some understanding of the evolution of the processes that led to the current 'status situation' of the HoTR roads.

The Lake District National Park contains parts of what were formerly the counties of Cumberland, Lancashire and Westmorland. In 1929/30 these counties took over from the various rural district councils the responsibility for highway maintenance. Maps of publicly-maintainable roads were made during the handover process, and many of what are now Trail Routes were shown in those maps as unclassified roads. The National Parks and Access to the Countryside Act of 1949, which itself defined the first National Parks, also created an official register of public paths (defined as 'footpaths and bridleways') and called 'the definitive map'.

All three counties made definitive maps during the 1950s. The 1949 Act also created a curious classification of minor highway: the Road Used as a Public Path, or RUPP. This was defined in the Act as a 'highway other than a public path' but mainly used for the purposes for which footpaths and bridleways are used (ie mainly for recreation). Cumberland recorded no RUPPs in its definitive map; Lancashire had none in the National Park; Westmorland recorded all, or almost all, the rougher and lesser-used unclassified roads as RUPPs, thus giving these roads 'dual status'.

A deal of confusion arose from the classification as, and meaning of, the term RUPP. The Countryside Act 1968 introduced a statutory procedure aimed at resolving this issue: the Limited Special Review, under which the status of RUPPs would be investigated and each reclassified, depending on what public rights were found to exist, as one of: Byway Open to All Traffic (BOAT), Bridleway, or Footpath. Cumbria County Council, which came into being in 1974, commenced a Limited Special Review of RUPPs. Under the 1968 Act procedures, where a RUPP was found to have public vehicular rights, which would otherwise indicate BOAT status, it might still be reclassified to either footpath or bridleway on the application of a test of suitability for vehicles or hardship for users.

The reclassification of Cumbrian RUPPs (many of which lie in the Lake District National Park) and the application of the 'suitability test' led to many of the reclassification orders being contested by motoring organisations keen to ensure that where vehicular rights exist, the ways should be recorded as BOATs. During this process across some years, the issue of dual-status of the RUPPs was considered by the various participants in the process and views were given by Cumbria County Council, the Department of the Environment, and others.

The motoring organisations, pitting volunteer officers against professionals in lengthy public inquiries, decided for resource reasons to pursue BOAT status only on the major Lakeland Pass routes: typically Walna Scar, Gatesgarth, Garburn, etc, relying on the rule that vehicle rights are not removed when such routes become bridleways. To make the whole process of even less value, as the Cumbria Limited Special Review approached its climax, the Government enacted the Wildlife and Countryside Act 1981 under which the process of reclassifying RUPPs changed significantly and 'suitability' ceased to be relevant.

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So, almost 20 years on from the Limited Special Review, the Lake District has something of a hotchpotch of minor roads and green lanes.

There are –

- Byways open to all traffic (BOATs);
- former RUPPs which were acknowledged to have vehicular rights, but were reclassified as footpaths or bridleways (and are also UCRs);
- former RUPPs which have unacknowledged vehicular rights (and are also UCRs);
- unclassified roads with no additional definitive map status;
- unclassified roads which were left off the 1929 maps in error;
- even a few bridleways and footpaths which were never recorded as RUPPs, but which carry ancient vehicular rights (e.g. from inclosure awards).

This sounds like a recipe for confusion and conflict such that the conclusive existence of vehicular rights may currently not be the most relevant or helpful issue. Where there is argument against vehicular use of the Trail Routes, it is often based on a perception that motor use of all such routes is inappropriate, rather than a reflection of legal status.

This Hierarchy of Trail Routes initiative addresses the overall picture, without becoming bogged down in any legal or administrative process arguing about exactly what rights exist, or what evidence counts, on any single road. HoTR accepts the *de facto* situation as to use of these routes and creates a reasonable and acceptable management regime.

Please note: While the above description applies specifically to routes now in Cumbria, similar factors have resulted in similar confusion in many other counties in England and Wales.



Winch power helps man power – volunteers rebuild Garburn Road



From the minutes of the HoTR meeting, 27 September 1995, paragraph 3.2:

Mr Wilson reminded members that the purpose of the Hierarchy of Routes principle was to address the question of suitability and sustainability of routes whilst at the same time endeavouring to cater for the needs of users, without threatening the legal status of any route.

Whatever form the hierarchy structure categories should take must reflect these requirements, and facilitate the provision of appropriate levels of information to appropriate users.

The Hierarchy should also remain relatively simple in structure, and facilitate the moving of routes up and down the Hierarchy according to annual review considerations.

All credit must go to Colton Parish Council, Forest Enterprise, the National Trust, and the local Ramblers' Association and Country Landowners' Association. Whenever involved in liaison on the HoTR project, these organisations have supported the principles and practices proposed, and have participated in the process.

This is a step beyond support following consultation; it is incorporating views and concerns from the outset and generating an agreed solution with interested parties.

5. Hierarchy of Trail Routes – the Philosophy

At the heart of the Hierarchy of Trail Routes initiative (HoTR) lie four factual situations. For the Hierarchy initiative to work everyone involved must accept these situations as a reality and work within the constraints they impose. Such acceptance does not demand that any person or organisation first discard their own individual or corporate philosophy, or policy for change, on matters affected by the initiative; HoTR is aimed at managing the current situation. If it succeeds, HoTR may serve to influence future policy thinking by all involved parties; that will be a bonus.

The four guiding principles are:

- That recreational motor use of minor highways is a lawful pursuit which requires proper management, like any countryside recreation or use.
- That the use of 'hard position' reactive management generally fails to deliver sustainable levels of fairness, adherence and situation-improvement.
- That motor users must understand and acknowledge that there is a constantly changing hierarchy of sustainability inherent in 'trail routes'.
- Free of the threat of claim and counter-claim by other user groups, vehicular users will be given the opportunity to apply reasonable self-regulation on their own use of these ways.

In the Lake District National Park the Hierarchy of Trail Routes initiative is essentially a compact between the recreational vehicle users (who cover a wide spectrum) and the National Park Authority in its limited role as highway authority for minor highways*, and as guardian of the wider national park environment. Other interest groups (such as conservation trusts) and individuals (such as landowners) can support this compact and, without such support, its effectiveness would be seriously weakened.

The Hierarchy itself is a definition of the core network of 'trail routes' and the self-imposition on that network of an agreed voluntary management structure which reflects the many and various factors affecting all and each of the 'trail routes'. Success will be measured not in the creation and start-up phase, and not by the production of a report or plan; success will be measured in the finding of a fair balance between free use of what are, in the end, public roads, and acceptable self-imposed limitations which prevent future trouble spots arising.

The Hierarchy must not be immediately fossilised once up-and-running and with this report published. Success will also lie in the respect it achieves through constant review. That is the beauty of a non-statutory system of management. As long as all the participants have the resolve to make the system work, the Hierarchy will develop and evolve to deal with changing circumstances and local problems as they arise.

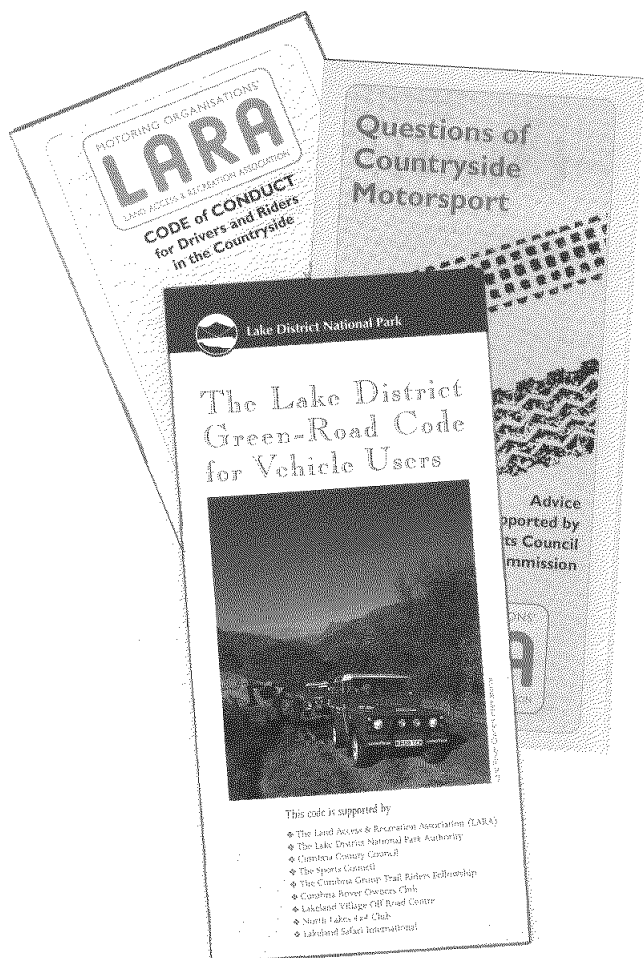
* Cumbria County Council is the highway authority in all respects for unclassified county roads and higher-status roads. Statutory changes introduced in 1997 make the National Park Authority Cumbria's agent for the management and maintenance of footpaths, bridleways and BOATs, and the Authority is also responsible for the review of the definitive map.

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6. Objectives of the Hierarchy initiative

If the section above, on the philosophy of the Hierarchy, is examined, a clear purpose becomes visible:

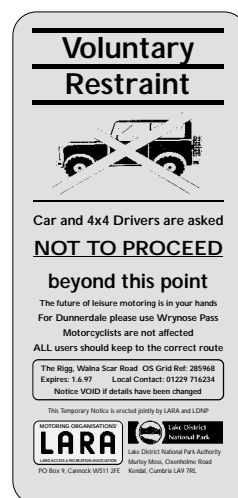
- To create a system of participant-agreed, authority-approved, jointly applied management practices, flexible and responsive enough to control and anticipate changing situations.
- To foster a high ethos amongst motorised trail users in their respect for the environment whilst they enjoy it.
- To show public bodies and private interest groups that such management is adequate to the task, and that draconian national, regional or local measures are not necessary nor justified.
- To create a model procedure which may readily be transported to and employed in many other regions in Britain.
- To establish a dynamic process, where review is an inherent feature, which accommodates the views of other users and landowners in evolving a Hierarchy which continues to be environmentally friendly.

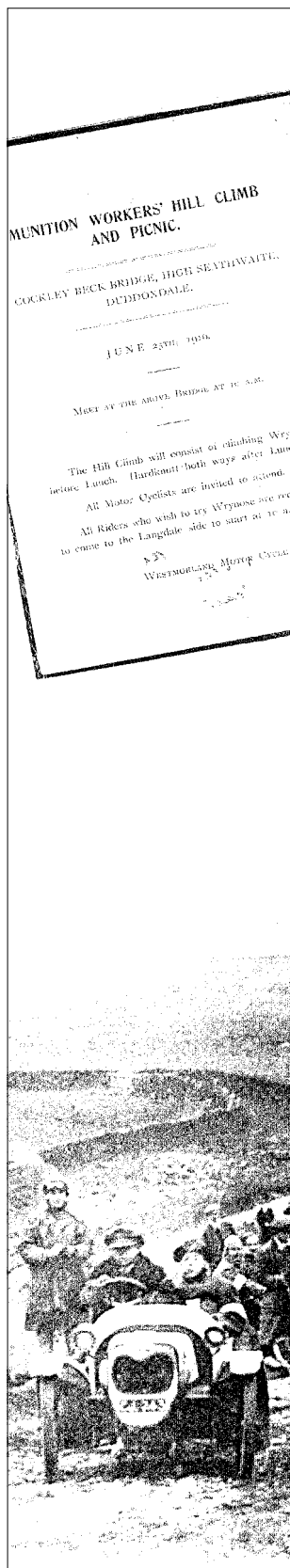


The LARA system of Voluntary Restraint

The principle of Voluntary Restraint was pioneered by the Trail Riders Fellowship on the Ridgeway in 1979. LARA has adopted and developed the principle, and it has been used to good effect in the Lake District during the implementation of the HoTR initiative. Experience shows that responsible motoring users will obey fairly-applied requests not to use a Trail Route. Compliance is generally as good as that expected with a more formal (and expensive) Traffic Regulation Order. Experience in the Lake District shows that although the majority of users do obey the signs, some do not, and that signs may be maliciously removed for reasons that could usefully be subject to future research.

It has been reported by Rangers that non-motorised users also take heed of the LARA signs, avoiding sensitive areas and following suggested alternative routes.





7. Chronology of the Development of the LARA/LDNPA Hierarchy of Trail Routes Initiative

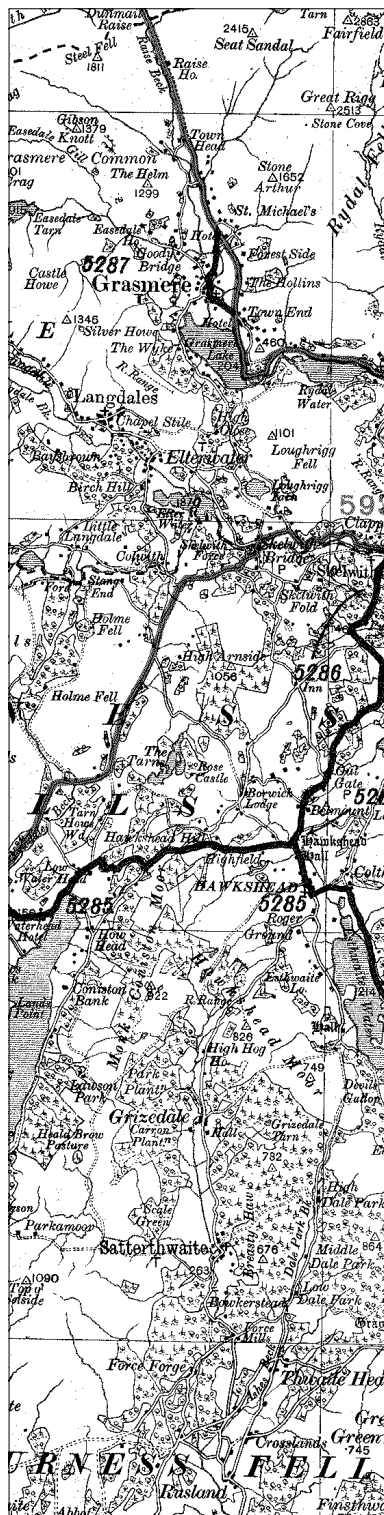
- 14.7.94 – LARA Information Officer addresses LDNPA annual Ranger Training Day.
Informal site meetings to discuss trail conditions:
1. Garburn Pass: Sue Thompson (LDNPA Ranger), Tim Stevens (LARA), Steven Brass & Richard Smith (Cumbria TRF), Richard Bishop-Miller (Cumbria ROC).
 2. Bethacar Moor: LDNPA ranger & ecologist, Tim Stevens (LARA), commoners' representative.
- 19.12.94 – Future Management of Rights of Way & Associated Activity on Bethacar Moor Meeting: Convened by Head of Park Management, LDNPA, to address problems on Bethacar Moor.
Present: LDNPA, County Councillor, Colton Parish Council, LARA, Forest Enterprise, CCC Highway Dept. From this meeting stemmed the idea to call a meeting of motorised trail users and to consider Bethacar Moor as a useful location for a model research exercise.
- 26.1.95 – Meeting of Lake District Park Management Committee:
A report was presented addressing the apparent increase in recreational 4 wheel drive activity in the Park. The conclusions of the 19.12.94 meeting were accepted as a useful way forward.
- 31.1.95 – Four Wheel Drive Activity in the Lake District Meeting:
Convened by Head of Park Management, LDNPA.
Present: LDNPA (Head of Park Man, & Ranger), CCC Highways Dept (Area Manager, & RoW Officer), LARA (Deputy Chairman, & Information Officer), North Lakes 4WD Club, Cumbria ROC, Red Rose ROC, Lakeland Safari & Lakeland Village (commercial operators), RACMSA.
- 14.3.95 – First Hierarchy of Trail Routes in the Lake District Meeting:
Agreed 7 lanes possessing varying characteristics for survey as a test exercise during the spring and early summer. This was to confirm that survey forms were user friendly, and survey teams would make consistent assessments.
- 11.4.95 – Recreational Off-Road Driving in the Lake District Meeting:
Convened by Head of Park Management.
Present: LDNPA, CCC, LARA, NL4x4C, CROC, RROC, Lakeland Village, Countryside Commission (including chairman Sir John Johnson)
- 20.4.95 – National Park Management Committee site visit to Bethacar Moor.
- 3.5.95 – Meeting on Tilberthwaite Lanes Proposals:
Convened by LDNPA Planning Officer.
Present: Senior Engineer, CCC; Countryside & Conservation Team Leader, LDNPA; Area Warden National Trust; Area Manager, CCC; Lake District Traffic Management Initiative; Deputy Chairman, LARA.
- 1.5.95 – First period of LARA Voluntary Restraint (VR) begins, Bethacar Moor.
- 9.5.95 – Lake District Park Management Committee:
Members endorsed the proposed development of a draft hierarchy of recreational off-tarmac routes with an associated code of conduct for green-road drivers in the Lake District.
- 9.5.95 – Second Hierarchy of Trail Routes in the Lake District Meeting:
Sample survey sheets reviewed in detail. Amendments to survey sheets agreed.
Agreed that user and ranger assessments were consistent. Arrangements made to merge vehicular rights of way data held by LDNPA, CCC, TRF and NL4x4.
- May 1995 – LDNPA receives correspondence from Coniston & Torver Parish Councils with concerns about increase in 4WD activity on Walna Scar.
- 18.5.95 – Four Wheel Drive Activity on Bethacar Moor meeting:
Convened by Head of Park Management LDNPA.
Meeting between LDNPA Head of Park Management, LDNPA Rangers & Planners, and LARA. Considers progress so far and proposes further action.

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- 19.7.95 – Third Hierarchy of Trail Routes Group Meeting.
- 31.7.95 – First period of Voluntary Restraint (VR) on Bethacar ends.
- Summer 95 – 30% Survey of trails conducted.
Consultation exercise with non-vehicular users.
- 20.9.95 – Deadline for completion of first (south-east) quarter lanes survey.
- 27.9.95 – Recreational Off-Tarmac Driving in the Lake District:
First meeting introducing HoTR principles to non-vehicular user groups and land managers – including RA, BHS, CBS, CLA, FOLD, NT.
- 27.9.95 – Fourth HoTR Meeting: Agreed four members of the working group to examine survey results and to place in hierarchy.
- 5.10.95 – 4WD Activity on Bethacar Moor meeting
- 16.11.95 – Meeting of LARA members with Parish Councillors, Landowners, County Council and LDNPA Ranger to discuss a proposed period of voluntary restraint on Walna Scar.
- 22.11.95 – Recreational Off-Tarmac Driving Meeting:
Hosted by LDNPA under auspices of Association of National Parks.
Present: Representatives from Lake District NPA, LARA, Countryside Commission, Yorkshire Dales NPA, Peak Park NPA, North Yorks Moors NPA, Snowdonia NPA, Northumberland NPA.
- Dec 1995 – 2nd period of Voluntary Restraint (3 months) begins on Bethacar Moor.
- 14.2.96 – Meeting to review the effect of the VR agreement on Bethacar Moor. Present: LDNPA, CCC, Colton PC, Forest Enterprise, Cumbria Bridleways Society, Ramblers. Rangers report that non-motoring users are also following VR advice.
- 27.3.96 – Fifth HoTR Meeting:
Review of the process of converting field survey data into hierarchy listing. First consideration of creating a Trail Roads Management Group. Preparation of survey for remaining area of National Park. Draft of brochure agreed – LDNPA/LARA Code of Conduct for Green Road Users.
- 26.5.96 – Bethacar Moor repair day under auspices of British Trust for Conservation Volunteers (BTCV), Grizedale.
- Summer 96 – Publication of LDNPA/LARA Green Road Code for Vehicle Users.
- 19.7.96 – Bethacar Moor 18 month Temporary TRO (to allow repairs) made but not immediately signed.
- 18.9.96 – Sixth HoTR Meeting:
Favourable report on Grizedale maintenance day. Review of progress, voluntary restraint Walna Scar Road. Survey of remaining areas under way. Bethacar Moor temporary TRO signs now reported in place.
- 19.3.97 – Seventh HoTR Meeting:
Majority of remaining area of trail routes surveys complete. Review of maintenance work required. Repair techniques for Bethacar Moor discussed.
- 16.5.97 – ‘Green Road Driving’ report to LDNPA Park Management Committee by Head of Park Management:
Concludes that ‘the effect of 4WD vehicles and motorcycles on green roads continues to be a relatively minor issue across the park as a whole. There are local difficulties which must be addressed ...’ Repair techniques for Bethacar Moor agreed, plus suggested extent of the temporary TRO to test effectiveness.
- June 1997 – Garburn Repair weekend, LARA, LDNPA & BTCV.
- 18.9.97 – Eighth HoTR Meeting:
Clarification of all trail routes in the Park agreed. Continuing TRO on Bethacar Moor until 1999 agreed, to allow works to settle before contemplating the reintroduction of vehicular use.
- 10.12.97 – This report finalised for publication.



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8. Applying the lessons of the Lake District HoTR to other areas

The management model developed in the Lake District as the Hierarchy of Trail Routes initiative is transportable to other areas. There are four principal requirements:

- The identification of two project leaders representing the highway authority (and any agent authority) and the vehicular user groups, both highly motivated in accordance with the HoTR objectives.
- A sufficiently big, representational, influential and enthusiastic cadre of groups and people from the motoring organisations.
- A highway authority/agent willing to deal, in a constructive way, with recreational motorists as valid users of Trail Routes.
- The intention of all participants to treat this HoTR as an integrated package; cherry-picking ideas that suit one side must be avoided.

It took no small measure of courage for the officers of the Lake District National Park Authority, and later the committee members, to take up the idea of a management process for motor recreation. There was a traditional view that any attempts to manage recreational vehicular use of the Park was implicit acceptance – even promotion – of the activity. But the Lake District National Park Authority, as agent for the highway authority, realised that it has a duty to seek a balance of the needs of highway users alongside its duty as National Park Authority to consider the wider effect of motoring. It may be that, at some time in the future, national legislation makes some dramatic curtailment of recreational motoring. That is always a possibility, but it is a national issue, on a political level, and for everyone involved at a local level simply to hold their breath in anticipation benefits nobody in the here-and-now.

There might be a perception that by being a partner in the HoTR initiative, the Lake District National Park Authority may be seen to have weakened its position as *de facto* highway authority and custodian of the environment. To the contrary, by expressing a willingness to participate, the LDNPA has firmly laid a responsibility on to the motoring organisations to demonstrate the ability to propose, execute and deliver reasonable management measures in advance of unilateral measures being applied. By simply adopting an impartial, yet positive, position on motor use of the Trail Routes, the Lake District National Park Authority has created an ethos of active self-regulation among the motor users. The Lake District National Park Authority wants the HoTR to work; the motoring organisations need HoTR to work.

The HoTR initiative has developed in the knowledge that there are pressures from those which will wish it not to succeed.

9. The elements of HoTR contributed by highway authorities, and by users

The principal requirement is that the project/initiative must engage joint leadership: the highway authority and the local umbrella grouping of the motoring organisations.

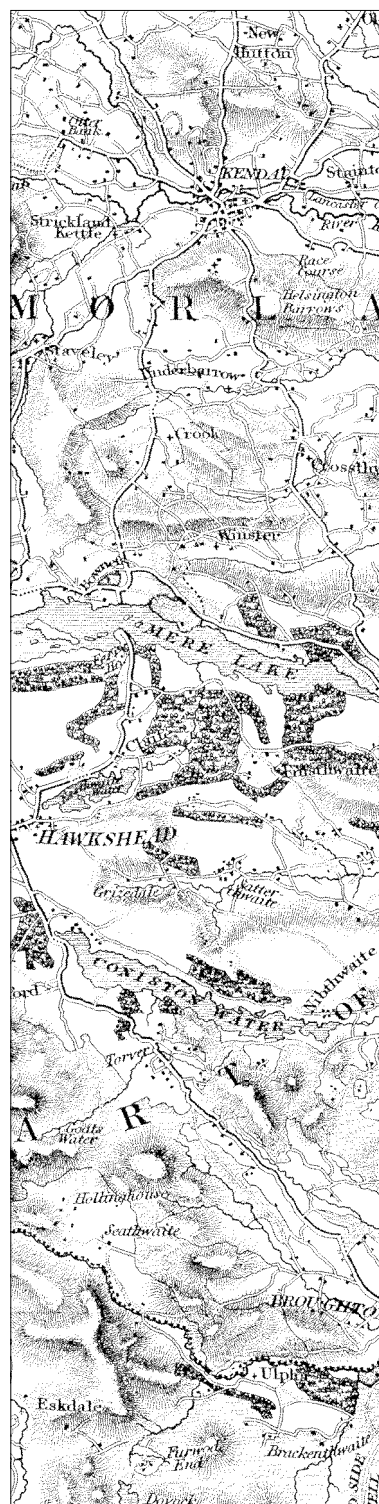
Highway authority participation involves these main elements:

- A senior officer responsible to the HoTR group.
- Reassurance to the motoring groups that their work is not unofficial and unvalued.
- Authoritative representation by skilled authority staff when needed.
- The necessary legal muscle behind the management: e.g. temporary TROs where necessary; the threat of closure if other management methods fail.
- Official co-ordination and management of volunteer labour; protection of the wider environment.
- Resources in things like base-mapping and access to records.
- Provision of meeting facilities, including evenings and weekends.
- Keeping the elected member side of the authority informed and satisfied.
- Involvement of local people, and the local press, to dispel rumours and explode myths, reducing conflict and calls for bans.

The participation of the motorists' umbrella organisation involves these main elements:

- A key user contact responsible to the HoTR group.
- User-led and user-driven solution seeking.
- Reduction in Local Authority administrative burdens.
- The involvement as active participants of all potential-participant local motor clubs and groups.
- Direct local authority access to known user-group representatives.
- An immediate positive relationship with the highway authority.
- An immediate positive approach to solving genuinely-immediate problems, and avoiding future problems.
- A high degree of legal and historical knowledge about the Trail Routes in the area.
- A pool of manpower for surveys, repairs, etc.
- The use of LARA's codes of conduct and voluntary restraint systems.
- Internal peer-pressure influence in particular troublespots.

The principal purpose is to create the means to solve site-specific problems with case-specific solutions.



'In the last few years, the question 'should we involve the community?' has been replaced by 'how can we involve the community?' Such questions are being asked sometimes by people who see this as a natural, inevitable and correct approach; sometimes by those who are reluctant, but see little real choice...

The word 'partnership' is like many being used today; it can hide a multitude of sins, but this does not mean there's nothing in there of value. As agencies and departments familiar with making progress on their own particular issue - housing, recreation, farming - found themselves facing problems that cut across these old boundaries, new ways of working were seen to be necessary. Not only that, but links were being encouraged (some might say demanded or even extorted) across the traditional divides of sectors - notably the public/private sector divide...

Consensus in the Countryside Conference 1996,
'An Overview' – Jeff Bishop –
Environmental Resolve

'Our priorities are to promote countryside recreation because it enriches the nation as a whole and to pursue policies which enable people to enjoy the countryside close to where they live. However, 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.'

Rural England -
A Nation Committed to
a Living Countryside.
Department of the
Environment, 1995.

10. Cardinal Points in Consensus Management

by Jeff Bishop – the Consensus in the Countryside Conference, 1996

- **Commitment to abide by outcomes:** There is little point in entering into a process which aims to bring people closer and closer together around common solutions if one or other party retains some eventual veto over any results. Either they (and those they represent) have agreed to an outcome or they have not.
- **Openness, honesty, trust:** Commitment is, however, a two-way issue; it can only reasonably be secured if all parties are open and honest (for example, not holding back key information for a subsequent committee meeting), and if the process builds trust.
- **Inclusiveness:** Consensus-building demands great care in establishing, as early as possible, the whole gamut of possible views about an issue and involving all those individuals and groups with such views – not just the obvious friends, or even enemies.
- **Shared responsibility for success:** Once work is underway, it may be led – 'facilitated' is the usual word – but those involved are not passive actors waiting for the mythical 'someone else' to solve things for them; everybody must take an active role in seeking progress.
- **Common information base:** So often, conflicts roll on and on simply because different groups argue from different bases of important issues and key information. A consensus process pays attention to sharing all information, seeking common agreements, and seeking further information which can take things forward.
- **Mutual 'education' and exchange:** If information, attitudes and values are to be in the open, and shared between all, then there will inevitably be a shifting of perceptions and a development of personal and group knowledge. Paying attention to this can help to avoid conflicts on subsequent occasions and enable everybody to be (as it were) one step up the ladder at the start next time.
- **Multiple options are identified:** It is banal to suggest that any complex environmental issue has one neat, simple solution. Though there are disadvantages when people come at things from different directions, this can bring into the room the advantage of diverse and innovative options and solutions – and a base for a more creative agreed solution.
- **Decisions made by consensus:** We still rely far too heavily, in almost all our procedures, on the ultimately debilitating system of majority votes, very often in situations where another approach would generate a different, and more widely agreed decision. By working towards decisions which are supported by all, one greatly increases the chances that those people will back, rather than scupper, later implementation.
- **Shared responsibility for outcomes and implementation:** This leads to the final principle; that once a decision has been reached by consensus, those involved take on a responsibility to back the decision (and how it was reached) through any verification process, and then into the stages of implementation.

11. Major Participants in the Hierarchy Initiative

Auto-Cycle Union – Northern Centre
British Horse Society
British Motorcyclists Federation – Northern Region
Byways & Bridleways Trust
Cumbria Rover Owners Club
Coniston Parish Council
Colton Parish Council
Country Landowners Association
Cumbria Bridleways Society
Cumbria County Council – Highways Department
English Sports Council – North
Forest Enterprise
Friends of the Lake District
Green Lanes Association
Lake District National Park Authority
Lakeland Safari
Lakeland Village Off-road Driving Centre
LARA Steering Committee and Officers
National Trust – North West Region
North Lakes 4x4 Club
North York Moors National Park Authority
Northumberland National Park Authority
Peak District National Park Authority
Ramblers Association
Red Rose Rover Owners Club
Snowdonia National Park Authority
Torver Parish Council
Trail Riders Fellowship – Cumbria Group
Yorkshire Dales National Park Authority

12. LARA Principles

Extract from LARA Forward Plan (II) – 1996 – 2000

- We co-ordinate action to benefit all members, based on consensus and co-operation
- We aim to provide expertise, knowledge, and availability
- We try to pass these skills, etc down the line to members
- We provide a forum for contact, discussion, understanding, and co-ordination
- We analyse current issues for the likely effects on members' activities and interests
- We offer a single contact point on behalf of members whose systems vary widely
- We provide co-ordinated responses based on these agreed principles
- We seek not to take over, or impose on members, but to enable, to facilitate and to unify
- In Summary:
Education – Development – Liaison – Planning – Protection

'Large numbers of people have substantial misunderstandings and misconceptions of the law of access. Indeed the sheer complexity or inconsistencies of the law often leads to disputes. A simplification of the legal framework and greater awareness of public rights may reduce significantly the number of disputes. Even so, conflicts are likely to arise between landowners and users, and amongst different users.

Local authorities can attempt to resolve such conflicts, although they may not always be regarded as neutral arbitrators. Nevertheless, more informal forms of local hearing, where consensus is sought may, in most circumstances, be preferable to the more formal legal procedures for the resolution of rights of way issues involving court actions or public inquiries. Not only do legal proceedings often involve participants in costly and time consuming procedures, but they are usually adversarial by nature rather than conciliatory. Additionally, the evidence which the courts can examine is restricted; concepts such as 'the public interest' are not easily defined in law, while assessments such as shortages of recreation routes may not provide admissible evidence.

If the aim is to resolve disputes by seeking compromise and consensus, then local authorities, many of whom already play a positive role, should be encouraged to play a more active part as mediators in access disputes, bearing in mind their statutory responsibilities to record existing rights of way regardless of merit.'

The Access Study
Summary Report –
Countryside Commission &
Sports Council, 1986.
CCP216

Lake District Hierarchy of Trail Routes – First Report – 1997

ROUTE HIERARCHY CHECK-LIST: LAKE DISTRICT, SUMMER 1996

The purpose of this check-list is to research the possibility of establishing some criteria by which the appropriateness of routes legally available for use by vehicles may be established on a voluntary basis. The aim of the research is not to forego legal rights, but to help user groups and countryside managers jointly identify the possibilities of better managing the use of old roads with reference to many and varied elements. Such as the need to provide for various recreational demands, the vehicles which are currently likely to use them, maintenance possibilities, the perceptions and aspirations of all users, and the need to protect the environment and our social heritage.

Reported by: Name Organisation/Club

Route Name and/or Number: Date:

Grid References: From To

Please give a brief topographical description:

.....

.....

Special Structural Features: (Distance/Destination Stones, bridges, hollow-way, causeway):

.....

(Attach sketch plan if appropriate)

SPECIFIC ROUTE ANALYSIS

Boundary Width:	Narrowest <input type="text"/>	Track Width	Narrowest <input type="text"/>	Max. Permitted Vehicle Width	<input type="text"/>
	Widest <input type="text"/>		Widest <input type="text"/>		

Average Condition <small>(On day of Survey)</small>	Wet <input type="checkbox"/>	Dry <input type="checkbox"/>	Evidence of Route Deviation (Yes/No) <input type="checkbox"/>
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Recommended Vehicle Group Numbers
(Circle appropriate number)

1	2	3
4	5	6

Recommended Time of Use	Weekdays <input type="checkbox"/>	Weekends <input type="checkbox"/>
	Sundays <input type="checkbox"/>	Bank Holidays <input type="checkbox"/>
	<input type="checkbox"/>	Regulated by Permit <input type="checkbox"/>
	Summer <input type="checkbox"/>	Winter <input type="checkbox"/>

Sensitive due to Not

Recommended Directional Use	2 Way <input type="checkbox"/>	1 Way <input type="checkbox"/>	Which Way? <input type="text"/>	Route Signing Exists:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Perceived Level of Use:	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>
	Agricultural <input type="checkbox"/>		

User Skills Required:

	Driving	Navigational
Novice	<input type="checkbox"/>	<input type="checkbox"/>
Intermediate	<input type="checkbox"/>	<input type="checkbox"/>
Expert	<input type="checkbox"/>	<input type="checkbox"/>

Condition of Route:	Poor <input type="checkbox"/>	Sustainable <small>Present level of use</small> <input type="checkbox"/>	Good <input type="checkbox"/>
Vehicle Advice:	Heavy 4 x 4 <small>(Over 1.5 ton)</small>	Light 4 x 4 <small>(Up to 1.5 ton)</small>	M/cycle None
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Lake District Hierarchy of Trail Routes – First Report – 1997



LARA Full Members:

ACU Auto-Cycle Union 01788 566400
ACU House, Wood Street, Rugby, Warks CV21 2YX

AMCA Amateur Motor Cycle Association 01543 466282
28 Mill Park, Hawk's Green Lane, Cannock WS11 2XT

ARC Association of Rover Clubs 01706 38801
14 Bolton Road, Rochdale, Lancs OL11 4PB

AWDC All Wheel Drive Club 01444 414043
PO Box 320, Haywards Heath, West Sussex RH16 3YN

BMF British Motorcyclists Federation 0181 942 7914
129 Seaforth Avenue, New Malden, Surrey KT3 6JU

BSMA British Schoolboy Motorcycle Assn 01425 461461
Holly Grove Farm, Verwood Road, Ringwood BH24 2DB

CSMA Civil Service Motoring Association 01273 744721
Britannia House, Station Street, Brighton BN1 4DE

MCI Motor Cycle Industry Association Ltd 01203 227427
Starley House, Eaton Road, Coventry CV1 2FH

NASA National Autograss Sport Assn Ltd 01623 796494
53 Andrew Drive, Haywood Oaks, Blidworth NG21 0TX

RACMSA RAC Motor Sports Association Ltd 01753 681736
Motor Sports House, Riverside Park, Colnbrook SL3 0HG

TRF Trail Riders Fellowship 01737 553599
PO Box 196, Derby DE1 9EY

LARA is supported by the English Sports Council
16 Upper Woburn Place, London WC1H 0QP

LARA Organisation:

The Steering Committee comprises one member from each full LARA member (as listed here) including the Sports Council. It meets quarterly.

There are three Officers:

**David Kersey –
Motor Sport
Development Officer**
Competition sites and venues, with volunteer 'regional officers'
Tel: 01788 541137
Fax: 01788 573585
LARA@acu.org.uk

**Tim Stevens –
Motor Recreation
Development Officer**
Rights of way matters, with volunteer 'county respondents'; liaison with national bodies; LARA publications
Tel: 01630 657627
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timLARA@aol.com

**Alan Kind –
Planning Officer**
Responds to Development Plans – regional & local – and related public inquiries
Tel & fax: 0191 236 4086
LARA@highwayman.demon.co.uk

All Officers are also involved in education, LARA workshops and conferences

LARA – part of the solution