



Report to Policy Committee

Author/Lead Officer of Report: (*Jamie Proctor, Senior Technician*)

Tel: 0114 205 6614

Report of: *Executive Director of City Futures*

Report to: Transport, Regeneration and Climate Policy Committee

Date of Decision: *11th December 2023*

Subject: *Report receipt of objections to the proposed Prohibition of Driving except for solo motorcycles on Moscar Cross Road.*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? (488)				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i>				

Purpose of Report:

To report receipt of objections to a proposal to introduce a Traffic Regulation Order (TRO) and to seek approval to make the order after having considered those objections.

The effect of the order would be to introduce a Prohibition of Driving except for solo motorcycles on Moscar Cross Road, which is a byway open to all traffic.

The report includes the objections received and officer responses to those objections.

Recommendations:

That having considered the representations received and having determined that the reasons to support the proposals outweigh any unwithdrawn objections, it is recommended that:

- The Traffic Regulation Order is made in accordance with the Road Traffic Regulation Act 1984;
- The prohibition of driving except for solo motorcycles on Moscar Cross Road is introduced as shown on Appendix A attached, by installing regulatory traffic signs, lockable gates and an adjacent bridle gate.
- The objectors are informed of this decision.

Background Papers:

Appendix A: Traffic Regulation Order Plan

Appendix B (at the bottom of the report): Consultation Responses including objections received

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Adrian Hart
	Legal: Richard Cannon
	Equalities & Consultation: Ed Sexton
	Climate: Mark Whitworth
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>
2	SLB member who approved submission: Kate Martin
3	Committee Chair consulted: Cllr Ben Miskell
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.

Lead Officer Name: <i>Jamie Proctor</i>	Job Title: <i>Senior Technician</i>
Date: 30.11.23	

1. PROPOSAL

- 1.1 Moscar Cross Road is a byway open to all traffic (BOAT).
- 1.2 The definition of a 'BOAT' is 'a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used'. Most of these highways do not have a surface suitable for general motor traffic and their use, in certain weather conditions, can cause safety issues and costly damage to surface material.
- 1.3 The area where it is proposed to introduce the Traffic Regulation Order (TRO) regularly suffers from damage during the winter months and consequently in recent years the Public Rights of Way Service has requested the introduction of temporary traffic orders to prohibit some motor vehicles. The current proposal is for a permanent TRO which if implemented would prohibit the driving of motor vehicles except for solo motorcycles at Moscar Cross Road during the period 1st October to 31st May, location identified in Appendix A. This would prevent the use of the route by 4 wheeled motorised vehicle modes that are causing the majority of the damage to highway infrastructure during the wettest months.
- 1.4 The proposed restriction would be implemented by installing the appropriate regulatory signs, a lockable gate and a bridle gate. The bridle gate will enable access for walkers, cyclists, horse riders and solo motorcyclists. Solo motorcycles are exempt from the restriction as the evidence suggests that 2 wheeled vehicles are not the main cause of damage to the byway infrastructure. Also, there are no physical restraint measures that restrict solo motorcyclists but allow other users through. At present, a Prohibition of Driving restriction is enforced by South Yorkshire Police. The Police are unlikely to support a prohibition that may become a burden in terms of enforcement demands.
- 1.5 Those that require access to adjacent land will be exempt from the restriction and provided with an access key for the gate.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 The purpose of the proposed scheme is to restrict usage of the track by motorised vehicles such as large 4x4's who cause the majority of the

damage suffered during the winter months. This should improve the condition of the ground for other users making the track more accessible.

- 2.2 The council has received numerous complaints from local residents about the condition of the byway particularly during the wettest months of the year. Complaints have also been received from recreational users who found the path impassable and unsafe at times. The current byway dissects two fields of relatively soft ground and can retain a lot of water during wet weather conditions.
- 2.3 The Council has a duty to maintain the byway at public expense. The rising cost of maintenance of this section of Highway is not sustainable when available funding has declined. On some occasions when the route is in a particularly poor state the route is closed by the Council to all users in the interests of safety. This requires a temporary traffic order and there is a cost to make a temporary order each time one is made. Whereas there is a one off cost for the making of a permanent order and this would only restrict motorised vehicles.
- 2.4 In order to reduce the damage caused and to negate the need for an annual temporary restriction a permanent prohibition of driving motor vehicles except for solo motorcycles was advertised, as shown in the original plan in Appendix 'A'. This would reduce the damage to the track considerably, helping to conserve and promote the opportunities and accessibility for all users to enjoy. At the end of the formal objection period 7 objections were received and 9 emails of support were also received.
- 2.5 The proposed traffic regulation order aligns with the Council's rights of way policy 7 of our rights of way improvement plan. This states that we will identify those BOATs whose usage by vehicles is inappropriate to the area and will consider TROs to prohibit specified types of vehicular use.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The proposed prohibition of motor vehicles except for solo motorcycles Traffic Regulation Order (TRO) on Moscar Cross Road was advertised on 31st August 2023 by Notice in the local press, street Notices were placed on Moscar Cross Road and consultation letters delivered or emailed to affected properties inviting comment on the proposals. Local Ward Members, Bradfield Parish Council and Statutory Consultees were consulted.
- 3.2 The Council has a legal responsibility to comply with the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996. This states that "*An objection* [to the making of a Traffic Regulation Order] *shall be made in writing*". However, All TRO notices and advertisements also allow for objections to be made by email.

3.3 CONSULTATION REPONSES

There have been 16 responses to the consultation, 7 of these are formal objections and 9 support the proposal. These are presented in Appendix 'B' which is at the bottom of this report.

Officers have replied to all respondents with an acknowledgement of their response or answering specific questions and clarifying the proposals so that they are fully informed before making formal representations or objections to the scheme.

All 7 objectors indicated that they support the aims of the proposal but objected because it does not include motorcycles. They feel that motorcyclists will cause damage to the byway particularly in wet weather and soft ground. 3 objectors specifically commented they are the most numerous of motor vehicle using this route and therefore must also be restricted during the winter months;

1 objector commented that damage will still be an issue due to solo motorcycle access and therefore will not have solved access problems for horse riders.

An objector provided photographs of the damage but it was apparent that these were from around a 10 years ago and do not show the exact damage cause by solo motorcycles. Only large ruts and tracks caused by other modes are shown with lighter tracks between said to be caused by solo motorcycles. This is not deemed enough evidence to restrict solo motorcycles.

1 objector raised concerns about the definition of solo motorcycle and that this may cover use of off-road side cars, however a definition is provided within the Traffic Signs Regulations And General Directions 2016 (TSRGD) states "a motorcycle without a side car". The Council will sign the restriction in accordance with the TSRGD so as to properly indicate what is restricted.

There were 9 supportive comments.

7 of which commented on the amount of damage that that is being caused to the track. 3 commented about the nuisance caused by vehicles getting stuck in the mud on this track for those living nearby. There was concern that vehicles may ultimately cause damage to services however it cannot be substantiated if there are services in this area.

2 supporters specifically indicated that they supported the exemption of solo motorcycles; 1 of which commented that they did not believe that solo motorcycles caused the damage and that it is inconsiderate use of heavier and more powerful vehicles;

3 commented on the benefit that the restriction will bring to the natural

environment of the area.

1 comment of support stipulated that the Council must monitor the effectiveness of the TRO and the condition of the route and to include solo motorcycles within the restrictions if damage is seen from their continued use.

Sheffield City Council believe that prohibiting solo motorcycles would attract more objections to the scheme without necessarily contributing to the aims of the scheme.

There is no evidence to justify including the prohibition of solo motorcycles but if the decision to make the Order is made the situation will be monitored and reviewed after one year to determine if it has achieved its aims. The Council could seek to modify a made order in due course should there be cause to do so – such an order would be subject to the statutory procedure as a proposal in its own right.

3.4 OTHER CONSULTEES

South Yorkshire Police are supportive of the TRO provided physical restraint measures are used to make the order self enforcing. South Yorkshire Fire and Rescue Service or the Yorkshire Ambulance Service or South Yorkshire Passenger Transport Executive have made no comments.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

The proposed measure will improve accessibility and safety of the Byway OAT, enabling better access for all walkers, cyclists, horse riders and solo motorcyclists.

The scheme may have an impact on disability as not everyone can enjoy Moscar Cross Road without a motor vehicle due to the uneven ground and steep nature of the track. The track however becomes unsuitable in these winter months for all travel methods, including larger motorised vehicles at times, such is the damage that is caused, resulting in the potential for members of the public to become stranded. All traffic will be able retain access during the summer months when the ground conditions are more suitable.

4.2 Financial and Commercial Implications

The financial costs over the past decade to maintain the byway totalled £15,073 (see Table 1 below). The proposed restriction will reduce the level of maintenance required.

Table 1: Highway Maintenance Costs – Moscar Cross Road

Date	Cost	Item
May 2013	£620	Level and re seed
May 2015	£650	Level and re seed
May 2016	£495	Level and re seed
June 2017	£1,748	Level and re seed and fill holes
May 2018	£540	Level and re seed
May 2019	£540	Level and re seed
May 2020	£970	Level and re seed and fill holes
June 2021	£1,800	Level and re seed and fill holes
Feb 2022	£2,015	TTRO on safety grounds
May 2022	£2,450	Level and re seed and fill holes
Jan 2023	£2,015	TTRO on safety grounds
May 2023	£1,230	Level and re seed and fill holes
Total	£15,073	

The proposed scheme costs:

The bridle-gate is to be funded by the British Horse Society.

The Traffic Regulation Order (TRO), officer time and regulatory signs = £6098, to be funded by the Strategic Transport, Sustainability and Infrastructure budget.

4.3 Legal Implications

The Council has the power to make Traffic Regulation Orders (TROs) under section 1 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) which include any provision prohibiting, restricting or regulating the use of a road, or any part of the width of a road, by vehicular traffic of any class specified in the order. A byway open to all traffic qualifies as a road and may be subject to a TRO.

A TRO may be made where it appears expedient to the Council to do so for the reasons set out in section 1 of the 1984 Act - this includes:

- the avoidance of danger to people or traffic, or
- for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property; or
- for preventing damage to the road or to any building on or near the road.
- This proposal is considered to fulfil the aforementioned purposes.

Before the Council can make a TRO, it must consult with relevant bodies and publish notice of its intention in a local newspaper in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations") as well as take such steps as it considers appropriate for ensuring that adequate publicity is given to the proposed order. This includes the display of notices on street. The Council has complied with these requirements.

The Council is required to consider all duly made objections received and not withdrawn before it can proceed with making an order. Those objections are presented for consideration in this report.

In deciding whether to make a TRO, the Council must have regard to its duty under section 122 of the 1984 Act to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) as well as the provision of suitable and adequate parking facilities on and off the highway, so far as practicable while having regard to the matters specified below:

- (a) the desirability of securing and maintaining reasonable access to premises;
- (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
- (bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)
- (c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- (d) any other matters appearing to the Council to be relevant.

The proposal detailed in this report is considered to align with the objectives of the aforementioned duty.

The Council is under a duty contained in section 16 of the Traffic Management Act 2004 to manage their road network with a view to securing the expeditious movement of traffic on the authority's road network, so far as may be reasonably practicable while having regard to their other obligations, policies, and objectives. This is called the network management duty and includes any actions the Council may take in performing that duty which contribute for securing the more efficient use of their road network or for the avoidance, elimination, or reduction of road congestion (or other disruption to the movement of traffic) on their road network. It may involve the exercise of any power to regulate or co-ordinate the uses made of any road (or part of a road) in its road network. The proposals described in this report are considered to fulfil that duty.

The Council has duties to maintain the highway which is the subject of

this proposal (under section 41 of the Highways Act 1980) and also to assert and protect the rights of the public to its use and enjoyment (under section 130 of the Highways Act 1980). It is in the interests of both of these duties that the Council is seeking to restrict its use by making a TRO.

The Council has a further duty under section 149 of the Equality Act 2010 (the public sector equality duty) in the exercise of its functions to have regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The proposed measures described in this report are considered to comply with this duty.

4.4 Climate Implications

A prohibition of driving of motor vehicles except solo motorcycles restriction will preserve the character of the as a byway open to all traffic and preserves the area's natural beauty.

Greater accessibility and safety of the byway improves walking routes and promotes active travel activities by making the route more attractive to users.

The potential for reduced emissions will contribute to the overall resilience to climate change.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 An alternative option would be to propose a prohibition of driving TRO without an exemption for solo motorcycles. However, it could not be justified as there is no evidence to suggest this type of vehicle is causing infrastructure damage to Moscar Cross Road and the Police would not be willing to support the restriction without physical restraint measures that restrict solo motorcyclists.
- 5.2 An alternative option is to do nothing. This option would result in the Council bearing the increasing maintenance costs of the infrastructure damage and may need to deny public rights of access due to the risk of injury.
- 5.3 There is also an issue posed around sustainability, constantly repairing the highway is not a sustainable use of limited natural resources.

- 5.4 The proposed measures do not incur any adverse effects on either the climate or the economy.

6. REASONS FOR RECOMMENDATIONS

If a decision is made to proceed with the proposed TRO then the byway will not be subjected to the same level of damage, the safety and access of all other users will improve and the current maintenance costs and use of resources will reduce significantly. The measure will be reviewed to ensure damage is not caused solo motorcycles. The Council will also keep the scheme under review to monitor changing weather conditions and ensure the restriction time period remains effective.

There is no other alternative suitable to alleviate the issues.

Having considered the response from the public and other consultees it is recommended that the TRO for the prohibition of driving motor vehicles except for solo motorcycles on Moscar Cross Road be made and implemented as the benefits of the scheme in terms of access, safety and sustainability are considered to outweigh the objections raised.

Appendix A

See “Appendix A” attachment.

**Appendix B
Objections/ Comments**

Objections	
The following responses were received as letters. In each of these cases, the main body of the letter has been lifted into this document unedited. Initial titles, names and addresses have been omitted.	
Objection	<p>Peak District Green Lanes Alliance response to Sheffield City Council consultation on seasonal TRO for Moscar Cross Road</p> <p>We welcome Sheffield’s decision to use a seasonal Traffic Regulation Order to protect Moscar Cross Road from the damage being caused to its surface by recreational motor vehicles during the wet months of the year, but we but oppose the intention to exempt motor cycles. We also think that Sheffield should cite other legal grounds for the TRO in addition to the need to prevent damage to the road.</p> <p>Motor cycles</p> <p>According to the most recent user logging data published by the Peak District National Park Authority (2016), two thirds of the motor vehicle use of the Moscar route is by motor cycles. We have been monitoring and photographing motor vehicle damage to this route ourselves since 2018.</p>

In our observation it is not only 4x4s that do the damage. Because it has a soft grassy surface with no underlying stone or rock and is on a hill, in the wet months of the year the Moscar route is especially vulnerable to damage by motor vehicles of all kinds. As far as 4x4s are concerned it is the weight of the vehicle which is the significant factor. With motor cycles the damage is caused by the wheel spin and gouging of the surface resulting from having to rev hard to get uphill on wet ground. This leads to the creation and spread of parallel sets of motor cycle ruts across almost the whole width of the track. This is typical of motor cycle damage on soft uphill ground. It is obscured on Moscar by the overlay and scale of 4x4 damage, but it happens every year. If Sheffield presses on with its current intention to allow motor cycles to use the route during the wet/winter months, the Authority will have to monitor the route throughout the coming winter and will find itself having to bring in a new TRO to include motor cycles this time next year. This will be a waste of time and public funds and will allow the route to be damaged for a further twelve months.

We were surprised to see that the proposed TRO allows motor cycles to use the Moscar route all year round. The reason for our surprise is that at the site meeting earlier this year, all the organizations representing user groups at that meeting were in agreement that there should be a seasonal TRO excluding all types of motor vehicles. This included the local user groups that represent motor cyclists. We therefore wonder what possible reason Sheffield has for exempting motor cycles from the TRO.

Grounds cited for the TRO

Under the Road Traffic Regulation Act 1984, highway authorities can make a TRO on a variety of legal grounds. So far Sheffield is citing for a Moscar TRO only one of the legal grounds available to you. We think that in addition to 'for preventing damage to the road', other legal grounds also apply. These are: 'for preserving the character of the road where it is especially suitable for use by persons on horseback or foot'; and 'for conserving the natural beauty of the area and affording better opportunities for the public to enjoy the amenities and the study of nature in the area'. The former applies because the route is a byway open to all traffic, defined in law as a route used mainly by people on foot or horseback. The latter applies because the Moscar route is in a national park and alongside a SSSI, which, as you and the South Yorkshire Police know, has been repeatedly damaged by 'off-piste' driving by recreational motor vehicles.

To recapitulate, we welcome Sheffield's recognition of the need for a TRO and willingness to act but call on you to revise the terms of the TRO so that it includes motor cycles.

Officer Response by email

I note your response regarding the exception for solo motorcycles, and that you oppose this. Having considered whether to include solo motorcycles within the restriction, the view was taken not to include them as it is not felt that solo motorcycles are causing damage to the route. However as we are proposing to prohibit all motor vehicles, other than solo motorcyclists, from using the route it will provide a good opportunity to monitor the effectiveness of the Traffic Regulation Order (TRO) in its proposed guise. If the route suffers excessive damage it will support the amendment of the TRO to include all motor vehicles including motor cycles.

I should appreciate it if you would review your objection and if you still wish for your objections to stand please confirm that this is the case. If you do wish to object to the non inclusion of solo motorcyclists in the proposed order then your objection will be treated as a formal objection. Your objection will be reported to

	<p>a future meeting of the Transport, Regeneration and Climate Committee where Members will review the reasons for wishing to implement the order together with objection(s) received. It is likely that the first opportunity to present a report to Committee will be December.</p> <p><u>Further comments made via email in response to officers email</u></p> <p>We definitely want our objections to stand and be treated as a formal objections. We would welcome the opportunity to explain our views to the appropriate committee.</p> <p>We are quite convinced that solo motorcycles do cause damage. In our experience, whilst 4x4s are obviously damaging because of their weight, they tend to travel slower and possibly in smaller groups. Motorcycles are usually driven faster and often travel in groups of up to a dozen or more. I, myself, have observed motorcycles projecting a plume of churned-up soil behind them, particularly when the back wheel is being spun (either deliberately or inadvertently). Overall we don't believe there is much difference between a typical 4x4 and a typical motorcyclist when it comes to damage. Moreover monitoring of usage has shown motorcycles to be the most numerous of "green lane" mechanically propelled vehicle users in the Peak District.</p> <p>Unfortunately I do not have a photograph of a motorcycle spewing out a plume but I attach two photos of Moscar Cross Road which I believe do show unequivocal evidence of motorcycle damage. In the worst affected section of Moscar Cross Road it is difficult to distinguish individual motorcycle tracks but these two pictures are taken in the field at the top of the worst section and show single tracks not obviously parallel to any other.</p> <p>In the second photo a single headed arrow identifies a single track crossing a double one. A double headed arrow then shows significant rutting where this single track crosses what is probably part of a double one. Note that the bad rutting starts before the crossing point and is therefore not attributable to the vehicle cutting the double track.</p> <p>While we accept your point that motorcycle damage would eventually be proved if 4x4 vehicles were successfully excluded, we are completely baffled by why you did not go for exclusion of all mechanically propelled vehicles from the start, given that the representatives of their responsible user groups accepted this. You would seem to have been pushing at an open door. Obviously acceptance by user groups does not preclude objections from individual users, but it would have given you justification for your action. Furthermore since motorcycles are likely to be the most numerous vehicles using Moscar Cross Road, your proposed TRO could be regarded as missing most of the problem.</p> <p>However, whilst damage is striking and a useful spur to action, attributing responsibility for it is always going to be contentious. Therefore we re-iterate our belief that damage should not be the only, or main reason, for excluding mechanically propelled vehicles from BOATs. We have seen a number of routes where the Peak District National Park Authority successfully used conserving the natural beauty and affording better opportunities for the public to enjoy the amenities of the area as grounds for a TRO. We would urge you to consult them and use their experience with the framing of a seasonal TRO for Moscar Cross Road.</p>
Objection	Sheffield TRO Consultation, Moscar Cross Road, Peak Horsepower response

Peak Horsepower represents the interests of horse riders in the Peak District National Park. Bridleway groups and riding clubs throughout the Peak District are affiliated to us and we have over 400 individual members, including riders based in Sheffield.

Along with other organisations representing non-motorised users, we have been pressing for some time for a Traffic Regulation Order excluding 4x4s and motorbikes from Moscar Cross Road. As far as horse riders and carriage drivers are concerned, the damage done to the surface of the route by motor vehicles is so great that the route is impassable for the majority of the year. We therefore welcome Sheffield's acceptance that a TRO on the route is necessary.

Period of closure

We support a seasonal TRO and agree that the period of closure should initially be from 1 October to 31 May. We think that the period of closure must be kept under review. As climate change takes effect, the increase in rainfall and in the intensity of rainfall may be such that Sheffield finds that October is too late, and May too early, to protect the route and access or non-motorised users.

Motorcycles

We do not agree that motorbikes should be excluded from the TRO and we are surprised that this is what Sheffield is proposing. We are surprised because at the on-site site meeting convened by Sheffield and attended by all the relevant user groups, ourselves included, the motorcycle organisations represented agreed on and welcomed a seasonal TRO and gave no indication that they thought it should not apply to them.

Motorcycles should be included in the TRO because in the wet months of the year motorcycles going uphill on soft ground make ever widening sets of parallel vehicle ruts. On Moscar these ruts eventually stretch across the entire width of the route making it at best difficult and at worst dangerous for horses. This problem was evident long before 4x4s discovered and started to use the route. Every winter, the 4x4 ruts are now so severe and widespread that they obliterate or obscure motorcycle ruts. This may be why Sheffield Highways/Rights of Way seem to be unaware of the impact which motorbike use has on equestrian safety and access on the Moscar route.

Our advice is that if Sheffield insists on excluding motorcycles from the seasonal TRO, it will a) not have solved the access problem for horse riders, b) will need to monitor the impacts of motorcycle use and c) will in all probability have to start another TRO consultation for the winter of 2024/25.

Carriage drivers

We are unclear how the TRO as proposed will affect carriage drivers. Our understanding of Sheffield's intentions is that bridleway gates at both ends of the route will enable continued access by ridden horses all year round. However, if the farm gates are to be locked to prevent use by 4x4s, it appears that carriage drivers, who have a legal right to use the route, will be locked out and denied access. We think that this will be illegal. The solution to this issue may be to include horse-drawn vehicles in the scope of the TRO, but it is difficult to see what the statement of reasons could say to justify their exclusion that would not also apply to motorcycles.

Motorcycles are far and away the largest vehicular user of the route (see PDNPA 2016 monitoring data), they tear at and gouge the surface as they go uphill, and they do much more damage to a soft surface than the very occasional horse-driven vehicle. It is therefore unclear why Sheffield thinks it is in order to lock out carriages but permit motorcycles to use the route in all weathers. We think that the best way to deal with the legal and fairness issues arising from the legal rights of carriage drivers is to treat all wheeled vehicles equally, ie revise the proposed terms of the TRO so that it includes wheeled

vehicles of all kinds – motorcycles and carriage drivers as well as 4x4s.

Additional grounds for TRO

We think that there are legal grounds for a TRO over and above ‘for preventing damage to the road’, the only ground so far given as a reason for the TRO. We explain in the following paragraphs why additional legal grounds apply.

‘Especially suitable for persons on horseback’

‘For facilitating the passage on the road or any other road of any class of traffic’
The route is a Byway Open to all Traffic, a class of way on which horse riders (and walkers) are defined in law as the majority user. As there are no bridleways in the area Moscar Cross Road is of particular value to riders as it is the only off-tarmac route available to them.

For preserving or improving the amenities of the area through which the road runs’

The amenity which the Moscar route affords to walkers, horse riders, mountain bikers, and people who use rugged mobility scooters will be preserved and improved through a seasonal TRO as the TRO will restore to them access and enjoyment of the route.

‘For the purposes of conserving or enhancing the natural beauty of the area’.
The route is in an otherwise beautiful, tranquil and remote-feeling part of a national park. It adjoins an SSSI which has been damaged by 4x4s and motorbikes. It is an ancient packhorse route. In their decision making, all highway authorities are obliged by law ‘to have regard to the purposes of the national parks, this includes the national parks’ primary purpose of ‘conserving and enhancing natural beauty, wildlife and cultural heritage’. In citing ‘for the purposes of conserving and enhancing the natural beauty of the area’ as one of its reasons for a TRO, Sheffield will be well within the scope of its powers and duties. In fact, its duty to support the purposes of the national park place it in a position to use a permanent 24/7 TRO should it be so minded.

Officer response via email

Thank you for your comments in the letter dated 2009.23 on the proposal for a seasonal prohibition of driving motor vehicles on Moscar Cross Road.

Having considered whether to include solo motorcycles within the restriction, the view was taken not to include them as it is not felt that solo motorcycles are causing damage to the route. However as we are proposing to prohibit all motor vehicles, other than solo motorcyclists from using the route, it will provide a good opportunity to monitor the effectiveness of the Traffic Regulation Order (TRO) in its proposed guise. If the route suffers excessive damage, it would support an amendment of the TRO to include all motor vehicles including motor cycles.

We will also keep the proposals under review regarding the period of closure.

Carriage drivers - We intend to keep the route available to horse drawn carriages by erecting the same signs at each end that we have on several of our Restricted Byways, namely that a key can be made available for any horse drawn carriage drivers that contact us for use when the main gates are locked.

Further comments made via email in response to officers email

Many thanks for your message and for the explanation about dealing with

	<p>carriage driver rights. But peakhorsepower still objects to the TRO not including motorbikes. Is there a way we can lodge this objection with the relevant committee?</p>
<p>Objection</p>	<p>The Sheffield City Council (Moscar Cross Road)(Prohibition of Driving) Order 2023</p> <p>GLEAM campaigns for the rights of walkers, horse riders, pedal cyclists, carriage drivers and disabled people to use green lanes (byways open to all traffic and unsealed unclassified roads) without the danger, difficulty and inconvenience caused by recreational motor vehicle use.</p> <p>We would like to make the following comments on your proposed traffic regulation order (TRO) on a section of the byway open to all traffic called Moscar Cross Road.</p> <p>The criteria for the exercise of Sheffield City Council’s power to restrict use of a road by a TRO are set out in sections 1 and 122 of the Road Traffic Regulation Act (RTRA) 1984. Section 1(1) says that the council may make a TRO “<i>where it appears to the authority making the order that it is expedient to make it</i>” for one or more of the reasons specified in sections 1, 22 and 22A of the legislation.</p> <p>Your statement of reasons gives only one of the reasons specified in the legislation i.e. for preventing damage to the road (subsection 1(b) RTRA 1984). We think that you could include other reasons, e.g. preserving the character of the road where it is especially suitable for use by persons on horseback or foot, as a byway open to all traffic (BOAT) which is by definition mainly used by horse riders and walkers (subsection 1(e) RTRA 1984), and conserving the natural beauty of the area and affording better opportunities for the public to enjoy the amenities and the study of nature in the area, being part of the Peak District National Park and adjacent to an SSSI (section 22 RTRA 1984).</p> <p>Subsection 122 (1) says that it is the council’s duty to exercise the power to make TROs “(so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)”. Among the matters in subsection (2) are “(b) the effect on the amenities of any locality affected” and “(d) any other matters appearing to .. the local authority to be relevant”. We think that the tarmac roads in the area provide more expeditious alternatives for motor vehicles than the BOATs in the area. Furthermore if motorised users wish to use BOATs, they will continue to be able to use the remainder of Moscar Cross Road, and the linking BOATs known as Heathy Lane and Stake Hill Road. But the safety and amenity of non-motorised users of the TRO’d section of Moscar Cross Road will be significantly improved, especially if the TRO prohibits motorcycles and is all year round. We note that most of the public rights of way in the vicinity of Moscar Cross Road are BOATs, so that walkers, horse riders and mountain bikers are likely to make significant use of Moscar Cross Road; the proposed TRO will make it more suitable for their use and improve their amenity.</p> <p>We think that you should include motorcycles in the TRO. This is because they also cause damage to the soft surface of Moscar Cross Road. The Peak District National Park’s Route Summary Report (enclosed) includes figures from a vehicle logger they installed on the route in 2016; these show that</p>

motorcycles made up almost two thirds (64%) of the motor vehicles using the route. Their sustainability analysis undertaken in 2013, also included in the report, shows that most user groups would find the route hard to use because of the damage caused by that date, and that the character of the route was being affected by vehicular use.

We also think that the TRO should be all year round, not limited to the 8 months October to May. This is because climate change is leading to wetter weather, and to precipitation being more intense and not limited to the winter months. We enclose two photos from Google StreetView of the western end of Moscar Cross Road, from Sugworth Road, taken ten years apart in September 2011 and September 2021. These show that the damage to the partially surfaced area at this end of the route by motor vehicle use in wet summer weather has got worse over this period. If this increase in damage has occurred on a partially surfaced part of the route, the damage to the unsurfaced majority part must have been worse.

With regard to access to the countryside by disabled people, we point out that section 20 of the Chronically Sick and Disabled Persons Act 1970 (as amended) exempts mechanically propelled invalid carriages from TROs which prohibit motor vehicles. So users of powered invalid carriages (e.g. mobility scooters) can use Moscar Cross Road when the proposed TRO is in force. We think that it would be useful if you could consider mentioning this and other exemptions in the final TRO e.g. exemptions for motorised access to adjacent property by owners, occupiers and their visitors, and for motorised access by the emergency services and local authority. We note that you include some of these in other proposed TROs.

We support the TRO proposal but think it should be improved by including motorcycles and by being operative for all twelve months of the year.

Officers Response via email

Good Afternoon,

Thank you for your comments on the proposal for a seasonal prohibition of driving motor vehicles on Moscar Cross Road.

I can inform you that having considered whether to include solo motorcycles within the restriction, the view was taken not to include them as it is not felt that motorcycles are causing damage to the route.

I also note your comments regarding to make the proposals all year round rather than seasonal. Again it was not felt that the restrictions are necessary at this point to be implemented all year round.

If the proposed restriction is implemented, we would monitor its effectiveness and may propose to make further changes, if they are found to be required.

Further comments made via email in response to officers email

Thank you for acknowledging and responding to GLEAM's comments on this order.

We disagree with your view that motorcycles are not causing damage to the route. We are familiar with green lanes which run over similar upland grassland

	<p>in other parts of England and Wales, where motorcycles were the majority motorised user and caused significant damage to the soft grass/earth surface of the routes until prohibited by traffic regulation orders.</p> <p>In the specific case of Moscar Cross Road, colleagues in the Peak District Green Lanes Alliance have provided us with the attached photos of Moscar Cross Road, taken in March 2013 and March 2014, i.e. in the same year or one year later than the sustainability analysis in the Peak District National Park Authority report enclosed with our letter. These photos confirm the sustainability analysis, that the route showed serious signs of damage (i.e. ruts) due to motor vehicle use in 2013, and illustrate that some of these ruts were made by motorcycles, not by other motor vehicles.</p> <p>We therefore continue to object to your exclusion of motorcycles from the proposed order.</p>
<p>The following responses were received by email. The main body of each email has been copied across and remains unedited. Names and addresses have been omitted.</p>	
<p>Objection</p>	<p>I have been asked by Bradfield Parish Councillors to forward the following comments in regard to the proposed TRO.</p> <p>Bradfield Parish Councillors would wish to support the suggestion by The Peak District Green Lanes Alliance, Friends of the Peak District, the Peak and Northern Footpath Society and urge Sheffield City Council to include motorcycles in the seasonal ban. Councillors agree that the idea of allowing just single motorcycle to use the route will not reduce the amount of motorcycle use in the winter/wet months. Groups of motorbikes will be free to wait at the beginning of the track and then go up it one by one. Nor would use by one motorbike at a time be possible to enforce.</p> <p>The reason Councillors believe that all motorcycles should be stopped from using the Moscar route during the wet months of the year is that the track is all grass with no underlying hard surface and it is on a hill. This makes it peculiarly vulnerable to damage from motorised trail bikes revving hard to get sufficient traction to get themselves uphill in bad weather when the ground is wet. Councillors are of the opinion that Sheffield City Council will find that if they allow continuing use by motorbikes during the wet months of the year, they will inevitably have to start the traffic regulation order process all over again next year, with all the cost, time and continuing damage involved.</p>
<p>Objection</p>	<p>PNFS Ref:- SH-BRA-185</p> <p>I represent the Peak & Northern Footpaths Society in Sheffield as that Society's Area Officer. The Society was founded in 1894 to campaign for the protection and improvement of public rights of way and other routes mainly used by non motorised members of the public.</p> <p>The legal definition of a Byway Open to All Traffic (BOAT) is a route used mainly on foot or horseback but which carries vehicular rights (section 66(1) of the Wildlife & Countryside Act 1981). These vehicular rights are invariably 'historic' rights dating back to the age of horse-drawn vehicles. However, the law as it is now, equates historic 'vehicular' rights with rights for modern 'vehicles' i.e. motorbikes and other four-wheeled vehicles, which are mechanically propelled.</p> <p>We endorse the response of the Peak District Green Lanes Alliance (PDGLA).. The Society cannot understand why motorbikes are going to be exempted from the proposed TRO, when everyone present at the site meeting, including myself, agreed that ALL mechanically propelled vehicles (MPVs) should be subject to the seasonal TRO. There seems to have been no credible</p>

	<p>explanation of this decision.</p> <p>Motorbikes, aka trailbikes, can do serious damage to the unsealed surface of a public highway like Moscar Cross Road, as highlighted by the PDGLA.. It makes no sense to this Society to exclude them from the seasonal TRO, especially when even the representatives of the relevant MPV lobby attending the site meeting agreed that all MPVs should be included in the seasonal TRO.</p> <p>This Society also concurs with the PDGLA submission that the relevant legislation enables the Authority to widen the scope of the proposed TRO beyond simply avoiding damage to the surface of the highway concerned.</p> <p>We urge Highway Authority officers to reconsider the draft TRO to take account of the above comments and those of the PDGLA.</p>
<p>Objection</p>	<p>Moscar Cross Road – Prohibition of Driving</p> <p>Sheffield City Council (SCC) proposes to introduce a Traffic Regulation Order (TRO) to prohibit the driving of motor vehicles (except solo motorcycles) between the 1st October and 31st May each year on Moscar Cross Road between Sugworth Road and Heathy Lane. We strongly support the proposed seasonal TRO except for the exclusion of solo motorcycles – they must also be excluded from the route during the same time frame as all other motorised vehicles.</p> <p>Issues</p> <p>Moscar Cross Road, a Byway Open to All Traffic (BOAT), lies within the Peak District National Park in the Eastern Moors, a sparsely settled landscape of gritstone moorland that drops away to the Derwent Valley to the west. It is part of one of the many traditional routes that were used for cross-Pennine trade.</p> <p>During winter months the use of this route has long been unsustainable. The route crosses soft ground within two fields, which degenerates into a mud bath with ruts and standing water due to motorised vehicle use (MVU); this makes the route difficult, and at times impassable, for other users. Voluntary restraint has made little inroads to limiting the damage. In its 2017 route assessment (Route Summary Report Moscar Cross Roads PDNPA May 2017) the PDNPA scored it 10/15 on sustainability criteria (the lower the score the more sustainable the route), as follows.</p> <ul style="list-style-type: none"> • The route shows serious signs of physical damage resulting from usage; 4 or more user groups would find the route hard to use - score 3. • The route abuts a SSSI, SAC, SPA and Natural Zone - score 2. • There have been complaints about vehicular use conflicting with other uses raised by various bodies but in particular local people and the parish council - score 2. • The character of the route is being damaged by vehicular use - score 2. • The free passage of non-motorised users is being prejudiced by minor regarding the width, visibility, slope and speed of use by vehicles - score 1. <p>No differentiation was made between the damage inflicted by different MVUs. To date SCC has made good the damage on an annual basis using limited resources.</p> <p>Resolution of Issues</p> <p>Such conflicts and damage should not be occurring at the heart of a National Park. The purposes of the TRO, as presented by SCC, in its statement of reasons are only concerned with damage to the road. We believe that TRO is required for reasons (a) to (f) under Section 1(1) of the Road Traffic Regulation Act 1984. However, a seasonal TRO aiming to address unsustainable use of</p>

	<p>the lane and its impassibility to more vulnerable users must ban all MVU. Motorcycles may only create one rut as opposed to the two made by 4x4 vehicles but there were, on average daily use, twice as many motorcycles as 4x4 using the route in 2016.</p> <p>A seasonal TRO banning all MVUs during the winter months would contribute to fulfilment of the statutory purposes of the National Park to conserve and enhance its natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of its special qualities to everyone.</p> <p>SCC should keep the situation and use of the lane under regular review. In the future with wet summers (such as we had this year) it may be necessary to extend the period for exclusion of MVU.</p>
Objection	<p>Can I state on behalf of the Sheffield Ramblers Group that we would also object to the exclusion of motor bikes from this seasonal TRO.</p> <p>It is very rare to see a solo motorbike traversing these roads. Trial bikes usually travel in pairs or trios and although not on the same scale as a group of 4x4's can certainly cause damage to the road's surface.</p>
Comments Of Support	
<p>The following responses were received as letters. In each of these cases, the main body of the letter has been lifted into this document unedited. Initial titles, names and addresses have been omitted.</p>	
Support	<p>PROPOSED SEASONAL TRAFFIC REGULATION ORDER FOR MOSCAR CROSS ROAD</p> <p>I am writing to you on behalf of the Peak District Local Access Forum in response to the proposal from Sheffield City Council to introduce a prohibition of driving motor vehicles (except solo motorcycles) between the 1st October and 31st May each year on Moscar Cross Road, as set out in your document dated 31 August 2023.</p> <p>As Moscar Cross Road is a BOAT which lies within the boundary of the Peak District National Park, the Peak District Local Access Forum has been identified as a statutory consultee for this proposal. The proposal has been shared with all PDLAF members, and this letter summarises their views.</p> <p>Background</p> <p>The Peak District Local Access Forum (PDLAF) is the statutory body advising the Peak District National Park Authority (PDNPA) and Sheffield City Council (SCC) (among others) on recreation and access matters within the Peak District National Park area. We were set up under the Countryside and Rights of Way Act, 2000 to advise on the improvement of public access in the Peak District and Northwest Derbyshire for the purpose of open-air recreation and enjoyment. Forum members are drawn from a wide range of access interests including walking, climbing, cycling, horse riding, recreational motor vehicle drivers, farming, land management, conservation, and local business.</p> <p>PDLAF works hard to keep as many routes open to as many legal user groups as possible. In our view, everything that can be done to preserve rights of way for all traffic should be considered. However, we recognise that this must be balanced with long term protection of the route and surrounding land, and available resources for maintenance and enforcement.</p> <p>In 2007, PDNPA rangers surveyed the condition of all Rights of Way in the National Park with possible vehicle rights, and scored them according to an agreed methodology. The results were referred to PDLAF, which identified those that were unsustainable at the then Peak District Local Access Forum c/o</p>

Peak District National Park Authority Aldern House Bakewell Derbyshire DE45 1AE current vehicle use rates, and sought to agree ongoing management plans with the relevant authorities. All the routes identified were published on the PDNPA website. Most remain open to legal use, but some of the most vulnerable have since been subject to TROs.

Moscar Cross Road was one of the routes identified which remains open. A management plan, including annual reseeding and repair, was agreed with the farmer, for which SCC would provide the funding. The condition of the route was regularly reviewed by PDLAF.

PDLAF last reviewed this site with SCC Councillors and Officers at a site visit in 2021, noting evidence of regular trespass off the route onto the adjacent SSSI, and continuing issues with unsustainable levels of vehicle use in the winter resulting in the entire width of the route becoming muddy and deeply rutted, making it almost impassable to any other users. We understand that the police have been alerted to illegal use and the gate off the road has been locked, and the edge of the route against the SSSI has been fenced using FiPL funding.

It was agreed at this site visit that a seasonal TRO to protect the site over the winter months would be the preferred course of action.

Our Response to the Proposal

1. **PDLAF supports the need for a TRO to protect the integrity of the surrounding SSSI and the safety and accessibility of the route for all users.** We agree that a TRO is required, as part of a range of measures, to protect the public right of way from damage that is caused by motor vehicles, in particular four wheeled vehicles, during the winter months, which make the route difficult, and at times impassable, for other users.
2. Overall, **PDLAF members support the seasonal nature of the TRO**, as it addresses the specific nature of damage to the route and the surrounding land, and allows motorised vehicles to use Moscar Cross Road in the summer months. However, we are concerned that this could be used as a stepping stone to a permanent ban, and would request assurances that there is no plan for a permanent TRO without significant consultation with PDLAF, Sheffield LAF, the motorised vehicle community and other user groups.
3. **PDLAF requests the extension of the TRO to include all motorised vehicles, and objects to the exclusion of solo motorcycles from the TRO.** While PDLAF welcomes the pragmatic approach of restricting the TRO to the class of vehicle responsible for most of the damage to the SSSI, we note that at the site visit discussed above, the proposed solution was a seasonal TRO covering all motorised users.

We are concerned that there may be significant issues with seeking to exclude solo motorcycles:

- lack of a clear definition of solo motorcycle, covering for example the use of off-road side-cars
 - possible ongoing damage to the route surface in winter, as depending on how they are ridden, trial bikes can damage wet ground as much as 4x4s and quads
4. PDLAF requests that SCC clarify the terms of the TRO in relation to horse drawn carriages, which have right to use the BOAT. It would be prudent for SCC to consider this to prevent legal challenge, in particular if the gate is to be locked to prevent illegal 4x4 use. The current information from SCC is unclear about how the TRO is to be enforced.

5. **We ask that funding for enforcement in the context of ongoing**

management of the route is carefully considered. We are concerned that the wording of the Statement of Reasons indicates that one of the reasons for this TRO is the challenge of making good the damage on an annual basis using limited resources. We recognise the strain that local authority finances are under, and the increasing costs of materials and labour to complete works. However, it is disappointing that it is not possible for maintenance to be funded to a standard that would allow year-round access to the route as a BOAT.

We note also that wider costs of successful enforcement of the TRO may also be significant, and we suggest that these costs are considered and taken into account so that the TRO is successful. This includes not only active enforcement, but also engagement with and education of user groups about the reasons for the TRO, promotion of codes of responsible use, and ongoing maintenance to repair and maintain the route and the SSSI through wetter winters and drier summers.

6. We ask that both PDNPA and SCC consider the impact of the TRO on other rights of way in the area, and the possibility of displacing damage to other routes. As with all TROs, we are concerned that restriction of access does not displace certain groups of users onto fewer routes, thus making the problems in those areas worse, or pushing users into illegal use due to a lack of other options.

7. We ask that SCC continues to work with all stakeholders to agree approaches to enabling responsible access while managing the impact on the BOAT and surrounding SSSI. In our view, a seasonal TRO is an opportunity for the motorised vehicle community to show restraint, and to police its own members.

One of the routes identified by the LAF in the 2007 survey, at Minninglow, now has a voluntary winter restraint agreed by the motorised vehicle community which in our view works well and has protected the route for all users year-round. The process is open and honest and shows that it can be possible for everyone to care for these routes and only use them when it is not going to cause significant damage.

Officer response via email

Thank you for your comments in the letter received 21.09.23 on the proposal for a seasonal prohibition of driving motor vehicles on Moscar Cross Road.

Responding to Item 3

I note that you have stated that you wish to object to the exclusion of Solo Motorcycles. Having considered whether to include solo motorcycles within the restriction, the view was taken not to include them as it is not felt that solo motorcycles are causing damage to the route. However as we are proposing to prohibit all motor vehicles, other than solo motorcyclists, from using the route it will provide a good opportunity to monitor the effectiveness of the Traffic Regulation Order (TRO) in its proposed guise. If the route suffers excessive damage it will support the amendment of the TRO to include all motor vehicles including motor cycles.

I should appreciate it if you would review your objection and if you still wish for your objections to stand please confirm that this is the case. If you do wish to object to the non inclusion of solo motorcyclists in the proposed order then your objection will be treated as a formal objection. Your objection will be reported to a future meeting of the Transport, Regeneration and Climate Committee where Members will review the reasons for wishing to implement the order together with objection(s) received. It is likely that the first opportunity

	<p>to present a report to Committee will be December.</p> <p>To clarify, A solo motorcycle is defined as a motorcycle without a side car.</p> <p>Responding to Item 2.</p> <p>I am unsure as to what you mean by a “permanent ban”, the proposed seasonal prohibition is for a permanent TRO to be put in place, and to be in effect from 1st October – 31st May each year from making. There are no plans to extend the operational period of the proposed TRO proposal. Any changes to the order would be subject to statutory procedures associated with the making of a TRO.</p> <p>Responding to Item 4.</p> <p>The proposed TRO is to be enforced mainly via locked gates and regulatory signage. Access for pedestrians, horse riders, motorcycles etc is given via a bridle gate located to the side of each of the main gates. Anyone with legitimate access rights with larger motor vehicles will be given a key to unlock the gates.</p> <p>We intend to keep the route available to horse drawn carriages by erecting the same signs at each end that we have on several of our Restricted Byways, namely that a key can be made available for any horse drawn carriage drivers that contact us for use when the main gates are locked.</p> <p><u>Further comments made via second letter in response to officers email</u></p> <p>PROPOSED SEASONAL TRAFFIC REGULATION ORDER FOR MOSCAR CROSS ROAD</p> <p>I am writing to you on behalf of the Peak District Local Access Forum in response to the proposal from Sheffield City Council to introduce a prohibition of driving motor vehicles (except solo motorcycles) between the 1st October and 31st May each year on Moscar Cross Road, as set out in your document dated 31 August 2023.</p> <p>This letter is an update to our original response of 21 September 2023, and should be read alongside it. In particular, it relates to point 3 of our response: our objection to the exclusion of solo motorcycles from the scope of the TRO, on the basis that they are likely also to cause damage to the ground in winter, depending on how they are used.</p> <p>Following further discussion of the TRO with LAF members, we have agreed to withdraw this formal objection to the exclusion of solo motorcycles. We recognise that 4x4 vehicles are causing the majority of the current damage, and there is urgency to ensure that the exclusion of 4x4s goes ahead this winter. However, it is a condition of our support for the exclusion that the effectiveness of the TRO and the condition of the route are monitored annually by SCC, and that this review includes engagement with PDLAF and Sheffield LAF, and representatives of key interest groups, and must consider extension of the TRO to include solo motorcycles if damage is seen from their continued use.</p>
<p>The following responses were received by email. The main body of each email has been copied across and remains unedited. Names and addresses have been omitted.</p>	
<p>Support</p>	<p>Further to the email from Jamie Proctor, below, the Derbyshire Trail Riders Fellowship is happy to support the proposed seasonal TRO on Moscar Cross Road. In addition, we appreciate the exemption for solo motorcycles as we are</p>

	<p>equally concerned about major damage to this route by inconsiderate use by heavier and more powerful vehicles.</p> <p>Moscar Cross Road is a very enjoyable route to ride and I have been doing so for a considerable number of years and, indeed, hope to continue doing so.</p> <p>I would be grateful if you would co-operate with your colleagues in South Yorkshire Police and highlight the motorcycle exemption from the TRO. The signage put up by the Police during the recent closure for maintenance in February 2023 was very heavily biased against motorcycles and, to the general public, appeared to lay the blame for the damage to this section firmly and solely on motorcycle use of the route. This was very disappointing as well as inaccurate. I have attached an image of the Police notice concerned.</p>
Support	<p>I just want to register support for the proposed closure of Moscar cross road between october and may each year to driving. It is doing so much damage and erosion to that track and also encourages I'm afraid quite reckless behaviour. I've seen at times the farmers have to go and tow away people stuck in the mud they've made worse.</p>
Support	<p>I am delighted to read that you are considering a reduction in the awful use by 4x4 clubs of this road. The appalling mess that they enjoy making is an eyesore for all visitors to the Peak District. As the previous owner of Moscar Lodge, and still a local resident, I have have many decades of being subjected to this nuisance.</p>
Support	<p>I agree to closing of the rights of way to 4x4 vehicles as it leads to the loss of our native flora and fauna</p>
Support	<p>We are writing in response to the proposed prohibition order for Moscar Cross Road, which has been posted recently at the top of Heathy Lane (track) near to Moscar Cross House, where I live with my wife. (Our house and woodland is shown on the plan for the order.)</p> <p>We note the proposal to close the track to motor vehicles other than solo motor cycles each year from 1 October until 31 May the following year, in perpetuity. We SUPPORT the proposal.</p> <p>We have been dismayed at the damage that has been caused to the track by recreational vehicle use over recent years, particularly when enthusiasts have publicised the deteriorating condition and encouraged others to come in significant numbers to drive up and down the vulnerable steep section. As well as being unsightly, they has been damage to adjacent farm land by the incursion of vehicles. We have also been concerned that the deep rutting to the steep section, might expose the gas main which is buried at a fairly shallow depth under the track; this supplies our property and several others locally.</p>
Support	<p>I can confirm that the Authority has no objection to the proposal. The restriction would help to reduce the damage caused by motorised vehicle users during these months and when the weather and ground conditions do not support the use occurring at these times. This will help to enhance the environment of the area and its use by the wider public.</p> <p>It will be important to have clear signage on site to clarify when and where the restriction is in place and who it applies to. This might also include reference to anti-social behaviour relating to groups of motorised vehicles.</p>
Support	<p>This is to confirm support for the proposed Seasonal TRO on Moscar Cross Road, during the winter 2023 /24.</p> <p>On behalf of the British Horse Society (both the: BHS.County Access & Bridleways Officer, and BHS District Bridleways and Access Officer), and Hallam Riders' Group (BHS affiliated) bridleways group, and as equestrian representative on Sheffield LAF:</p> <p>support is again expressed for the proposed TRO ban on 4x4 motor vehicles, whilst retaining single-file, 'mindful' use by motorcyclists,</p>

	<p>retaining use by ridden horses, retaining use by cyclists, retaining use by pedestrians, during this period.</p> <p>This support is conditional upon the installation of a bridlegate (specification and site as already agreed by PROW, and financed by the BHS), which will permit access by those other than the 4x4 motor vehicles.</p> <p>The TRO provides an opportunity for considerate multi-use to continue, while preventing winter damage and degradation from the heaviest and most impactful users.</p> <p>It is hoped the experiment will prove successful, that motorcyclists will recognise the distress and danger they can pose to other users as well as to livestock and to the environment, and will respect the spirit of the proposed TRO.</p> <p>The BHS Officers expect and welcome annual assessment and review.</p>
Support	<p>I write to confirm that PDVUG (Peak and Derbyshire Vehicle User Group) is supportive of your initiative to introduce a seasonal bad weather TRO onto the route as shown on your map. We note that the Council proposes to exempt solo motorcycles which would be a specific requirement for our support.</p> <p>Might I suggest that a clause be added to allow the Council to adjust the closure time frame to account for the seasonal changes currently being experienced year by year.</p> <p>Please add PDVUG to your mailing list for similar future initiatives.</p>