

DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984 (AS AMENDED)

STATEMENT OF REASONS

(STONEY MIDDLETON BYWAY OPEN TO ALL TRAFFIC No. 15) (JACOBS LADDER)

(PROHIBITION OF MECHANICALLY PROPELLED VEHICLES)

ORDER 2018

Derbyshire County Council is proposing to introduce the above Order:

Stoney Middleton Byway Open to All Traffic No. 15 (Jacobs Ladder) runs from New Road just outside Eyam Village (SK 2344 7594) with The Nook, Stoney Middleton (SK 2323 7555) for a distance of approximately 542 metres. The route lies within the Peak District National Park. It is narrow and primarily used for the purposes of walking, cycling and occasional equestrian use although its status does allow use by mechanically propelled vehicles. The route has a legal width of 3 – 3.5m and in places erosion has created a hollow way with steep banks on either side and exposed tree roots. Concerns about the safety of users who may come into contact with mechanically propelled vehicles on the route have been raised with the County Council.

The proposed order would be made for the purposes set out in section 1 (1) (a), (c), (d), (e) and (f) of the Road Traffic Regulation Act 1984 and would be in accordance with Policy 5 of the County Council's Green Lanes Policy.

Jacobs Ladder is narrow over much of its length to the point that larger vehicles cannot pass when travelling in opposite directions, and, in some sections, it is so narrow that other users may be forced off the route to avoid oncoming traffic.

Concerns have been expressed that use of the route by motorised vehicles restricts the use and enjoyment of Jacobs Ladder by other users owing to the likelihood of conflict with such vehicles. The route offers a unique opportunity to visitors and residents to enjoy quiet recreation, however, the nature and type of recreation will have a material effect on the person's enjoyment of the countryside. Whilst Jacobs Ladder is part of the road network, in practice it can only be used by a type of vehicle adapted to use a route of this nature and is therefore restricted to a small number of vehicle

users. It is considered that the normal traffic of the area, which will include pedestrians, cyclists and horse riders should receive priority where there is the possibility of conflict with motorised users on a route that is in parts narrow.

The route runs in part between stone walls and this narrowness precludes normal motorised vehicular use of this carriageway as there is no opportunity for larger motorised vehicles to pass each other and equally no escape for other users. It is therefore unsuitable for larger motorised vehicles. Motor cycles will also occupy a significant width of the route on the narrower sections and such use is considered to be incompatible with the route's narrowness.

The general character of this route is a tranquil rural track. It passes from the village of Stoney Middleton and ascends a wooded hillside passing the local cemetery. It is considered that this route provides an opportunity for safe recreation for persons on horseback, or foot. Given the narrowness of the route, it would be beneficial for these user groups to preserve the character of the route by preventing the use of the route by motorised vehicles.

The amenity of the area in this context, is considered to be a combination of the benefits derived from open air recreation, tranquillity, and the landscape. It is considered that if these are being affected by use of motorised vehicles, then the implementation of the proposed order would preserve and work towards improving the amenity of the route.

As Jacobs Ladder lies within the Peak District National Park, the Council is required to have due regard for the activities of the National Park as required by sections 5 and 11A of the National Parks and Access to Countryside Act 1949.

The route links two surfaces and publicly accessible carriageways. The construction and condition of Jacobs Ladder restricts use to certain types of motorised vehicles that are capable of negotiating rough terrain and is of little value to drivers of normal road vehicles. It does not provide connectivity to the local carriageway network for normal road vehicles.

In terms of the economic and social well-being of local communities within the National Park, evidence suggests that the local community is opposed to continued motorised use.

The County Council therefore considers that the use of this route by mechanically propelled vehicles is incompatible with the aims and objectives of the Peak District National Park at this location.

The County Council has therefore concluded that a Traffic Regulation Order should be introduced to prevent the use of the route by mechanically propelled vehicles at all times. The Order will take effect over the entire length of the route depicted on the accompanying plan Ref: TE/PJW/WD93-15/TRO owing to the lack of turning spaces.

It is proposed to maintain access for cyclists, pedestrians, horse riders and use by horse-drawn vehicles through the restricted area. Access will be maintained for emergency vehicles and any party requiring lawful access to premises.

Following consultations with the Cabinet Member for Highways, Transport and Infrastructure, it was agreed to undertake the necessary steps to make the Order subject to consideration of any objections which may be received following the public advertisement of the proposals.

The proposals are more particularly delineated in the draft Order which accompanies this Statement.

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