

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT**

21 January 2014

Report of the Strategic Director – Economy, Transport and Environment

**EDALE BYWAY OPEN TO ALL TRAFFIC (BOAT) 16 – CHAPEL
GATE AND EDALE PUBLIC FOOTPATH NO 4**

(1) **Purpose of the Report** To seek authority to make a Revocation Order in respect of the current temporary closures of part of Edale Byway Open to all Traffic (BOAT) 16 (Chapel Gate) and Edale Public Footpath No 4.

(2) **Information and Analysis** Temporary closure orders were made in respect of part of Edale BOAT 16 and Edale Public Footpath No 4 on 8 June 2013 to allow maintenance and repair works to take place. Maintenance works have been underway on Chapel Gate as a part of the Capital Programme. Further works are planned as part of the Green Lane Action Plan, approved on Cabinet on 12 November 2013 (Minute No. 304/13 refers). This work is currently programmed for spring 2014. Edale Public Footpath No 4 was also closed as part of this programme as it connects directly with Chapel Gate.

The current closures are set to expire on 30 June 2014. The length of this closure was set in line with planned works to repair Chapel Gate. A period of time for recovery of the surface was built into this closure and for supplementary maintenance that may be required to alter/improve the drainage.

The work is now complete and it is important that the routes are re-opened as soon as practicable as the closures are no longer required. A further closure can be implemented if necessary to cater for the delivery of planned works for the 2013-14.

(3) **Financial Considerations** The cost of the Revocation Order, governed by local advertising rates, will be in the region of £1,200 which is made up of two advertisements, one for each order, in the local press. This can be met from the Rights of Way Revenue Budget.

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(4) **Legal Considerations** The Council is empowered under Section 14 of the Road Traffic Regulation Act 1984 to promote an Order to temporarily close a highway, including a Right of Way. The Road Traffic (Temporary Restrictions) Procedure Regulations 1992 provides a mechanism to revoke an Order.

Under Regulation 8 of the Regulations, which provides the procedure for making revocation orders, not less than 7 days before the making of the Revocation Order a notice shall be published of the intention to make the Order in one or more local newspapers circulating in the area. Thereafter, within 7 days after the making of the Order, notice of the Order being made shall be given to the persons or bodies specified in Regulation 6(3) along with any other traffic authority who consented to the making of the previous Order. Regulation 6(3) states that notice shall be given to the Chief Officer of Police and Chief Officer of the fire authority for the area, along with any organisations representing those using the road or who are likely to be affected by any provisions of the Order.

(5) **Environmental and Health Considerations** The opening of the paths will provide the opportunity for the public to use these two routes providing access to the Edale Valley.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(8) **Background Papers** None. Officer contact details – Peter White, extension 39673.

(9) **OFFICER'S RECOMMENDATION** That the Cabinet Member authorises the Director of Legal Service to make Revocation Orders to re-open Edale Byway Open to All Traffic (BOAT) 16 and Edale Public Footpath No 4.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

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Appendix One - Green Lane Action Plan 2012 – 2013

Scheme	Planned Work	Gains	Estimated Cost
Provision and construction of barriers	Sites to be identified countywide and in liaison with the Peak District National Park Authority	Improved safety for users and prevention of illegal use.	£10,000
Eyam Byway Open to All Traffic (BOAT) 32			£20,000
Edale BOAT 16 (Chapel Gate) Phase 3	Attend to drainage and repair culverts	Avoiding further wash-out and consequential damage to surface	£15,000
Outseats BOAT 48 (Long Causeway)	Drainage		£20,000
Cherpit Lane			£15,000
Brough Lane	Surface repairs	Improve access and safety of users.	£35,000
Roych Clough	Repairs to damaged surface. Includes £3,500 grant aid from Natural England	Improved public access on the Pennine Bridleway	£23,771
Vehicle Loggers	Monitor Vehicle movement	One off investment. Assists with monitoring activity on a route and with decision making in respect of any form of restriction.	£5,000
		Total	£143,771.00

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Scheme	Planned Work	Gains	Estimated Cost
		Target Date	
Traffic Regulation Order (TRO) Investigation			
Washgate	Present findings of consultation	September 2012	
Bradley Lane	Further investigation into the implementation of a TRO.	December 2012	
Other Matters			
Motorised Trials Policy	Full Revision	Consultation October 2012	
Publish list of Vehicle routes as per the Policy - Managing Green Lanes	Details of routes to be made available via the County Council's website.	March 2013	
Monitoring of routes county-wide	Collation of data as a basis for decision making.	Ongoing	