

GLEAM



Green Lanes Environmental Action Movement

www.gleam-uk.org

A newsletter for those interested in protecting ancient ways from the ravages of recreational motor vehicles.

AUTUMN 2025

Scheduled monuments damaged by off-roaders

We provided three examples of scheduled monuments damaged by off-roaders using green lanes for access in our Spring 2020 newsletter – historic lead mine remains adjoining Brushfield and Pindale green lanes in the Peak District National Park and a Bronze Age burial mound close to a green lane in Wentwood, Monmouthshire. The spoil heaps next to Brushfield have not been damaged since this unsealed unclassified road was added to the definitive map and statement as a bridleway, but damage to the lead mine rakes and spoil heaps at Pindale continues as off-roaders have made new routes to bypass, and have moved, the boulders placed between the lane and the scheduled monument. Two more examples of current damage are described below.

A moated site, known as Monk's Grave, at Ingarsby in Leicestershire, has been damaged by off-roaders who use the adjacent unsealed unclassified road, Covert Lane (also damaged by them) to drive on the scheduled monument. The off-roader organisation, GLASS, successfully challenged a traffic regulation order which Leicestershire County Council made for this lane in 2023.



Monk's Grave, Ingarsby, damage caused by off-roaders using the adjacent Covert Lane.

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Deep ruts on Covert Lane, 2024.

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Approximately £50,000 worth of damage to Coomb Hill, a late prehistoric settlement in the North York Moors National Park Authority, was caused by off-roaders using nearby unsealed unclassified roads to access it with 4x4s and motorbikes in 2024. The authority's press release - <https://www.northyorkmoors.org.uk/about-us/press-office/press-releases/protected-site-of-prehistoric-settlement-damaged-by-illegal-off-roading> – says that barriers put up to stop further motor vehicle access have been removed so that damage continues. North Yorkshire Police are now expending valuable resources in a year-long operation (Operation Trailblaze) to try to tackle this problem and other anti-social/illegal off-roader activity e.g. trespass on forestry and wildlife habitats which threatens these delicate ecosystems, non-road legal motorbikes, and other impacts on the safety and enjoyment of visitors and local residents. These problems are caused by the off-roaders attracted to the area by the large number of unsealed unclassified roads.

In 2023 Defra issued an Outcome Indicator Framework to show how it would set targets and monitor progress towards the goals set in the government's 25 Year Environmental Plan, published in 2018. One of the goals is "*enhancing beauty, heritage and engagement with the natural environment*". To help meet this goal, Defra aims to decrease the number of scheduled monuments at risk in National Park Authority and National Landscape areas, and expects these organisations to include targets and plans for this goal in their management plans¹.

The examples in this article show that legislation to stop off-roading on green lanes would help Defra, National Park Authorities and National Landscapes meet this aim.

Peatlands damaged by off-roading

Restored (re-vegetated and re-wetted) peatlands are important habitats for wildlife, and also important for carbon dioxide sequestration, and improved water quality and flood risk reduction downstream. But off-roaders damage peatlands when they use unsurfaced green lanes or deviate from or erode surfaced green lanes which cross boggy areas. In previous newsletters we gave two examples of motorcycle use (encouraged by the Trail Riders Fellowship) which is damaging unsurfaced green lanes – on Monks Trod in Powys (Autumn 2024 page 2) and in the Nidderdale National Landscape, hampering peat restoration (Spring 2025 page 6). Another example of damage, in Eryri National Park, is illustrated overleaf.

¹ <https://www.gov.uk/government/publications/protected-landscapes-targets-and-outcomes-framework/protected-landscapes-targets-and-outcomes-framework>

Damage to peatland caused by motorbikers deviating from the line of an unsurfaced unclassified road in Eryri Site of Special Scientific Interest and National Park, May 2025.



The government's 25 Year Environmental Plan includes a target for restoring peatlands in National Park Authorities and National Landscapes; attaining this target will also help achieve another target, increasing the percentage of SSSI (sites of special scientific interest) features in favourable condition in these areas. Again, our examples show that legislation to stop off-roading on green lanes would help Defra, National Park Authorities and National Landscapes meet these targets.

Ineffective Traffic Regulation Orders in Bucklebury, West Berkshire

Since 2017 West Berkshire Council has made temporary traffic regulation orders (TROs) which prohibit recreational 4x4 and quad bike use of byways open to all traffic (initially twelve but now fifteen) in the parish of Bucklebury during the winter. The byways run across unenclosed common land (a nature reserve) or are narrow hedged lanes which provide access to the common. The aim of these TROs is to preserve the surface of the byways. But the experience of local residents and equestrians is that the TROs have not stopped off-roader damage/nuisance on the byways nor illegal driving on the common, despite enforcement days organised by West Berkshire Council and Thames Valley Police.

Bucklebury Parish Council received 92 reports of motor vehicle use of the common between March 2022 and July 2024. Only a small minority (three) were of cautious use of

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the byways. There were 33 reports of damage to the surface of the byways and 16 of excess speed/noise/dangerous driving on the byways, in two cases forcing walkers to take avoiding action. There were five breaches of the TRO, some involving damage to the barriers. 14 motorised users were driving unlicensed motorbikes or quad bikes. 25 of the reports were of illegal driving on the common and its footpaths and bridleways. Two 4x4s were abandoned and burnt out on the common.

Equestrians and walkers find it increasingly difficult to use the byways during the winter because of the ruts caused by the off-roaders, and choose to use the tarmac roads instead.

The failure of the TRO and enforcement exercises show that existing legislation against off-roading is not working and new legislation is needed to protect these BOATs.

Two more attempts to stop illegal/damaging use

Kent County Council has made permit traffic regulation orders (TROs) on some of its byways open to all traffic, with the aim of preventing illegal and anti-social motorised use e.g. driving off the byway into adjoining woodland. Permit-holders are asked to report vehicles seen being driven irresponsibly off the routes to the county council and the police. But the permit TROs have not stopped illegal and anti-social use. Kent police reported in February 2024 that they had patrolled one of the areas (Bredhurst, Boxley and Detling) where a permit TRO is in force and had "*given advice* [to motorcyclists holding permits] *regarding their use of the tracks and not affecting other people*"; they had also found some motorcyclists without permits (indicating that the code to the barrier had been shared) and one who was uninsured. Kent police also reported nuisance motorcycles and quad bikes in this area in August 2024.

In June 2025 the off-roader organisation, GLASS (Green Lane Association), announced that it had worked with a local landowner on repairs (surfacing and drainage) to a green lane, Strata Florida, in mid-Wales and measures (signs and fencing) to try to stop motorised users deviating from the route. However this project covered only 1.75 kilometres of the 12.5 kilometres length of the route; the photos overleaf show that much of the rest of the route still needs repair and it is being widened by motorised users avoiding the worst of the damage. There are also reports of the signs and fencing installed on the repaired section being damaged. Part of Strata Florida used to be included in a Sustrans long distance cycling route, Lôn Las Cymru (Green Lane Wales), but Sustrans has had to find an alternative.

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Strata Florida widened to three tracks, two with 'bomb holes'.

Strata Florida widened to three tracks, all fully or partially flooded.

This photo, from a GLASS website, confirms that some of their members prefer damaged ('challenging') lanes.



Definitive map modification orders which protect green lanes

Two green lanes, in Kirklees and in Norfolk, have reached the end of the definitive map modification process, being confirmed as not having rights for the public to use them with motor vehicles. A third lane, in Bedfordshire, has an interim decision which will also protect it, as a restricted byway, if confirmed.

Kirklees

We reported on the Kirklees lane (Huddersfield 231) as far back as our newsletters of Autumn 2015, Spring 2016 and Spring 2018, as a "*Grim Fairy Tale*". The end of the tale is a downgrading from byway open to all traffic (BOAT) status to footpath, i.e. preventing use by off-roaders, but is not a happy ending for the landowners and for horse riders. Kirklees Council made a definitive map modification order (DMMO) downgrading the BOAT to bridleway in 2018, an order which was confirmed by an Inspector following a public inquiry in 2019, but then quashed by the High Court because the evidence of use by horse riders on which the order relied did not count for statutory dedication because they were using the route by right (because it was recorded as a BOAT) rather than as of right (without consent). Kirklees then remade the order, relying on evidence of common law dedication for bridleway status. This led to two more inquiries under a second Inspector, in 2023 (interim order decision issued January 2024) and 2024 (final order decision issued February 2025). GLASS (Green Lane Association) objected in the 2023 inquiry arguing against the Council's position that the route should not have been included in the definitive map and statement as a BOAT because its predecessor, West Yorkshire Metropolitan County Council, had omitted it from the omnibus order reclassifying roads used as public paths as BOATs in its area in 1985. However the Inspector found that the omission, and the depiction of the route on the definitive map with a non-standard line style, were new evidence which justified Kirklees's decision to investigate the status of the route.

GLASS also argued that the historical evidence showed that public vehicular rights existed, i.e. the route had been correctly reclassified as a BOAT, as did the Byways and Bridleways Trust, Cycling UK and the British Horse Society, although the latter two argued that the route should be a restricted byway. But the Inspector found in her January 2024 and February 2025 decisions that the route did not have historic public vehicular rights, but was a public footpath, from its inclusion as such in the first draft map and statement. She also found that the evidence of use by horse riders before the route was recorded as a road used as a public path in 1966 or 1975 (depending on the interpretation of the legislation in force at the time) was insufficient for dedication as a public bridleway, despite the then landowner's acquiescence to horse rider use.

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This case is a very rare (the only?) example of a definitive map modification order to downgrade a BOAT succeeding. It is possible that the evidence for downgrading might exist for other BOATs in the former Huddersfield County Borough which were omitted from the 1985 omnibus order by the successor highway authority, West Riding Metropolitan County Council, but there is the risk that such evidence is not conclusive, or that if it is, it may only show public footpath rights. This case was also very complex in terms of the legal arguments; Kirklees Council, the landowners and GLASS all employed barristers and the landowners an expert witness also. The 2024 and 2025 decisions can be found at <https://www.gov.uk/guidance/rights-of-way-order-information-decisions-and-maps-published-in-2023#kirklees-council>.

Norfolk

We reported on the interim order decision for an unsealed unclassified road ("soft road") in Thompson, Norfolk, in our Spring 2023 newsletter. Following a second inquiry, the final order decision has confirmed that this route is a public footpath, i.e. does not have public vehicular rights. Norfolk County Council's research for the second inquiry revealed that this and other public rights of way were removed from the definitive map and statement in the 1980s because they were already recorded as publicly maintainable soft roads (green lanes). Other county councils (e.g. Derbyshire, Hertfordshire, Warwickshire, the West Riding of Yorkshire) did similar removals, but most of these routes will not be footpaths or bridleways but will have public vehicular rights derived from historic use by the public with horse-drawn vehicles. GLEAM would like to see legislation to close a loophole in the Natural Environment and Rural Communities Act 2006, to allow these unsealed unclassified roads to be added back to the definitive map and statement as restricted byways, not as BOATs, if they are found to have public vehicular rights, in line with their historic use. The Inspector's final order decision in the Norfolk case, issued on 30 April 2025, can be found at <https://www.gov.uk/guidance/rights-of-way-order-information-decisions-and-maps-published-in-2023#norfolk-county-council>.

Bedfordshire

In 2022, Bedford Borough Council made an order adding a way in the parish of Odell to the definitive map and statement as a BOAT. The order was referred to an Inspector because of objections and representations. His interim order decision, following a hearing in June 2025, shows that he agreed with the Council that the way has historic public vehicular rights, but he disagreed with the Council's conclusion that it was a BOAT, not a restricted byway. The Council had said that because the continuation of the way to the south is recorded as an unsealed unclassified road, the way itself qualified for exemption from the Natural Environment and Rural Communities Act (NERCA) 2006, the loophole mentioned above. The Council also pointed out that the way had been shown on a list of unclassified roads compiled by its predecessor in 1929/30, i.e. it would have qualified for

exemption had this list not been altered after 1929/30. However the Inspector concluded that, because this way was not recorded as a publicly maintainable unclassified road at NERCA commencement (2 May 2006), it does not qualify for exemption, and it should be recorded as a restricted byway, not a BOAT. His interim order decision can be found at <https://www.gov.uk/guidance/rights-of-way-order-information-decisions-and-maps-published-in-2023#bedford-borough-council>

Looking at the public rights of way section of Bedford Borough Council's website, this Council does not mention restricted byways, suggesting that it is not familiar with the legislation (the Countryside and Rights of Way Act 2000 and NERCA) which brought this category of public right of way into existence, enacting the government's and Parliament's intention that historic horse-drawn vehicle use by the public should not result in BOATs, i.e. public rights for motor vehicle use.

Government drops proposals for more powerful e-cycles

The previous government consulted on changing the legislation on e-cycles (electrically assisted pedal cycles) to allow them to be faster and more powerful, more like motorbikes. The scale of opposition to the proposals has been such that this government has dropped these proposals. The details are at:

[Proposed changes to legislation for electrically assisted pedal cycles – outcome - GOV.UK](#)

All Party Parliamentary Group

An All Party Parliamentary Group (APPG) has recently been established for Outdoor Recreation and Access to Nature. As their name implies APPGs are cross-party groups of peers and MPs who have a particular interest and expertise in a subject. They have no constitutional power but can represent their views to government, particularly when any change to legislation is being considered.

The Outdoor Recreation and Access to Nature Group has asked a team of facilitators from the Ramblers, the British Mountaineering Council and Paddle UK to gather views from a wide range of organisations in advance of the mooted Access to Nature Bill. We at GLEAM have submitted our thoughts, along with about 750 others! The APPG will then produce its report to government, anticipated to be published in mid- September. We await with interest!

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