

Table of supporting comments

Support	Officers' Comments
Condition	
Byways are impassable to local people due to deep rutts.	Fuller Farm Road has now been repaired. A bid for funding from the Landscape and Access Team maintenance budget has been put forward for £6000 to make repairs to those sections of Silkmore Lane in need of repair.
Why spend our money on repairing the damage- only to go through the same process in a year or twos time?	Surrey County Council has a statutory duty to maintain byways. Silkmore Lane was repaired in 2005. The sections left rough that now require maintenance were not repaired in 2005 to deter flytipping as stated as a best practice in Defra's Document 'Making the Best of Byways.'
Byway 538, which was only repaired in 2004, has become unusable for local residents due to the extremely deep rutts caused by motorised vehicles.	As above
The Council's assessment of Silkmore Lanes physical condition is wrong, as there are substantial sections in poor condition.	Silkmore Lane is a condition 2 byway because it is in need of some repair- e.g. short section of mud or limited rutting/erosion. The central section of the byway is in very good condition. For the byway to be in condition 3, the whole route or substantial sections would have to be in need of significant repair.
Although freedom to pursue minority interests is usually a desirable principle, in this case, with such limited and fragile	The Highways Act 1980 places a duty on the highway authority to assert and protect the use and enjoyment

resources, the freedom to damage the countryside must be curtailed. Surrey County Council must protect its environment for the benefit of the majority, of this generation and of those that follow.	of highways by those entitled to use them.
Deeply rutted lanes, noise, erosion, fly-tipping and off-lane damage seem to always accompany BOAT status despite such codes.	The Surrey Hills Byway User Group has a campaign to encourage responsible use of the Byways through education. Signs have been placed at important junctions and key points along byways. The user groups and the Police are handing out leaflets. These signs and leaflets encourage the public to report unlawful use of the byways
Safety	
The motorcyclists constitute a serious danger to the residents of Silkmore Lane.	Noted
There is no footpath for people to take refuge from speeding motorcycles and there is not enough room for vehicles and pedestrians to pass.	Noted
Motorised vehicles on Fullers Farm Road create a hazard for the agricultural use and for riders on the farm, as it is not possible to hear or see any vehicles crossing the Byway.	The maintenance work on Fullers Farm road will have improved the sight lines so that users and agricultural vehicles will be aware of each other.

4 wheeled drive vehicles and motorcyclists, drive in convoys, which are seen as intimidating and dangerous.	Noted
The speed at which the trail bikes in particular drive down the lane is intimidating.	Advisory speed signs will be placed on both byways to encourage responsible speeds.
When Horsley Cricket Club extended their premises part of the requirement was to create a new entrance to stop the amount of traffic using Silkmore Lane. This has now just been replaced by the Bikers etc.	Noted
Silkmore Lane itself is very narrow and unsuitable for vehicular traffic and has a semi blind bend about halfway up the metalled section.	The TRO is being considered for the unmetalled section.
Policy & TRO grounds	
The adjacent Ripley Lane is a much more suitable alternative for 4-wheeled drive vehicles and motorcyclists.	As BOATs, users have a right to use these routes.
DEFRA's 'Report of a research project on motor vehicles on byways open to all traffic' (January 2005) Surrey's BOATs have by far the highest daily motor vehicle flow, particularly for recreational purposes.	Correct
Reasons for TRO under Schedule 9 in the RTR Act 1984. Avoiding damage to persons; which I believe is a true possibility due to the condition of the BOAT's and to the speeds achieved by those vehicles when off road and at the point where the BOAT reaches the standard roads.	Noted

<p>Preventing Damage to the Road; Self evident in the number of additional and deeper pot holes in Silkmore Lane and the substantial damage to the BOAT.</p> <p>Preserving the character of the road: I do not believe its natural state and character was or is in its present condition</p> <p>There is no necessity or principle for a public enquiry to be held in this instance when the money required for that action could be better used elsewhere.</p> <p>In conclusion I would draw you to the definition of a BOAT by parliament as routes used mainly on foot or horseback and as such it is this which distinguishes them from unclassified roads.</p>	
OTHER	
Invasion of the peace and quiet of Silkmore Lane by motorbikes and 4-wheeled drivers	Noted
Concern over the noise of the motorbikes	Noted
Motorbikes have been going off route onto adjacent land.	If a TRO were to be implemented the police do not have the resources to enforce illegal off roading.