

Consultation replies	Officer's comments
<p><b>Support</b> The Open Spaces Society supports the proposed TRO, but would prefer it to be amended to include all motorised vehicles.</p>	Noted
<p><b>Support</b> The Ramblers also support the TRO. They reported the Byways poor condition in 2003 and would have liked action to have been taken sooner. They would also prefer an even tighter ban on all wheeled vehicles using the byway.</p>	Noted
<p><b>Support</b> Mr Franks a local resident notes more recently that the level of erosion has increased. He periodically encounters motorcyclists and mountain bike riders who are away from the designated areas. The motorcyclists insist that, because they have wider tyres than mountain bikers, they cause less damage. A closure of this route in the manner outlined would go some way to reduce damage to the byway although he suspects that this would not eliminate damage altogether.</p>	Noted
<p><b>Objection</b> The Byways and Bridleways Trust responded to the initial consultation with the following: 4ft 11 in is not legally wide enough for a bridleway, which for centuries has had a minimum width at gateways and gaps of 5ft. 5ft 6in would be a far better width than 4ft 11 in, but 5ft could be accepted as the minimum, since this would still allow some of the two wheeled traps used by drivers of horses to these routes. The Trust believes that 5ft 6in (168cm) would deny access to the majority of those whose rights are being stopped, and at the same time would make life much easier for lawful users. Another alternative, which is worth considering, is the Kent Carriage Gap. Which would be an even more acceptable means of denying access to 4x4's and larger</p>	<p>The 4ft 11ins width was chosen because it was critical for restricting the smallest 4x4s (for example, a Suzuki Jimmy is up to 160cm wide), but at the same time striking a balance and allowing as many other users through the gap. The vast majority of horse drawn carriages are between 125- 138cm, however the older vehicles can be 140cm+. There have been no objections from equestrians or carriage users over the previous implementation of the 4ft 11in width restriction TRO.</p>

<p>driven carriages.</p>	<p>The Kent Carriage Gap is made up of two bollards 0.33m high which would ground all motorised vehicles except motorbikes, whilst allowing horse drawn carriages over. Officers consider that the Kent Carriage Gap would not be appropriate in this instance because for carriage drivers to safely negotiate the Gap, they would need a clear flat approach. The location of the width restriction is on quite a steep section of byway. The landowner also requires access to the Byway and a lockable gate is needed. There is not enough room to fit a gate allowing the landowner's vehicles through and the 2+ metres gap that the Kent Gap requires to be successful.</p>
<p><b>Objection</b>          Mr Holland a local 4x4 user would like a Seasonal TRO considered. He would also like to highlight that 99% of 4x4 users adhere to strict codes of conduct. The hooligan elements are now starting to be on the back foot in the 4x4 world as more and more users are shopping any suspect behaviour to the Police. The 4x4 magazines are also encouraging Police reporting. In Wales, the 4x4 clubs and the police Pave teamed up in sting operations. He believes one idea would be to integrate the local Hindhead community and get them on board with the National Trust to report any suspect behaviour to "Crimestoppers" confidential line. Perhaps the County Council could spearhead this appropriate signage in the Hindhead area for all to see.</p>	<p>Officers have considered other options such as a Seasonal TRO (see paragraph 2.4). Officers also acknowledge that there are responsible users, and appreciate all the assistance they provide in reporting irresponsible and illegal use to the Officers and the Police. However, due to the relatively remote location of the byway, the likelihood of irresponsible use being reported is unlikely. The surface condition can only be repaired to a certain level due to budget restraints and so any irresponsible use could damage the level of repair available.</p>
<p><b>Objection</b></p>	

<p>“It is with great concern that we, The Four Wheel Drive Club, feel the need to respond to you on these matters.</p> <p>As a club we have put a lot of effort into looking after our lanes and informing our members on responsible use. We have worked closely with The Surrey Hills AONB Board, and the Council on producing signs to inform the public of the legal use of Byways. Many, in fact most, Byways in Surrey now have the Byway Signs with our logo on. We feel it is possible that people are beginning to associate our club with lane closures!</p> <p>We feel strongly that these lanes should not be closed as this would be unfair to members of our club and other legal Four Wheel Drive users. The vast majorities are well behaved and stick to the actual lanes. There is feeling among some of our club members that <i>“we abide by the rules and suffer because of a few and the Council just close the lanes because of this.”</i></p> <p>We also feel it is unfair to target just 4x4 users, but still allowing use by quads and motorcycles. There is plenty of documented evidence proving that motorcycles go much faster, wheelspin much more easily, are much noisier and in numbers cause just as much damage, if not more, than legitimate 4x4 users, who travel sedately and with thought for other users. I urge you to ask horse-riders or rambler who they would prefer to meet on a lane and I’m sure it would generally be 4x4’s.</p> <p>High Button has been closed since March to 4x4’s but has continued to be used by quads and motorcycles. I walked it last week and its condition has not improved. This particular byway has been in the same condition for many years now – not just due to 4x4’s but all users. I don’t believe it will get worse, and certainly closing it</p>	<p>Officers appreciate all the help the 4WDC have provided. The signs and information leaflets have been very useful.</p> <p>A width restriction was chosen because it is very difficult to restrict motorcycles whilst allowing equestrians, carriage drivers and mobility scooters through. Other byways that have had the width restriction have withstood motorcycle traffic quite well. However, this is always monitored.</p> <p>If vehicles are restricted on Byway 503 (Thursley) the repairs to the byway can be engineered to preserve the character of the road in a case where it is suitable for equestrians, cycles and motorcycles. The engineered repairs will therefore not be suitable for any 4x4 traffic including limited traffic on a permit scheme.</p> <p>Officers will continue to investigate alternative solutions to TROs. However, in this instance due to the level of repairs required and the byway being relatively remote and therefore difficult to monitor a permit pass system will not be appropriate.</p>
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purely to 4x4's without repairs will achieve nothing. If repairs are undertaken then keeping it closed to only 4x4's is surely unfair and of no merit?!?

Your own data shows that 4x4 usage of the byways is actually quite small, but unfortunately motorcycle and quad data was not given. From experience I know that motorcycle usage is much higher than 4x4s and it is logical that larger numbers of bikes and quads using byways will have just as much impact as a few sensible 4x4 users.

As mentioned earlier, High Button and indeed all three byways have not deteriorated much in the last few years. They are all in similar condition to they were three or four years ago. A seasonal TRO in our opinion would solve nothing unless they are closed to all traffic and then only if repairs are carried out.

As a solution, we would like to offer further voluntary work that could help prevent 'off piste' activity. Such work would need to be discussed but measures preventing users attempting to climb the banks would be a priority.

As a last resort we would like to suggest that rather than simply closing lanes that SCC consider the possibility of a permit system, which works very well in other sensitive areas. This would limit and control the number of times the lane is used. We would be happy to organise this and could arrange management of this through club volunteers, though obviously this would have to be carefully considered.

To understand what we mean, please look at --  
[http://www.lakedistrict.gov.uk/index/visiting/outdoors/green\\_roads/green\\_road\\_gatescarth.htm](http://www.lakedistrict.gov.uk/index/visiting/outdoors/green_roads/green_road_gatescarth.htm)  
They use a permit system which

appears to work very well. 12 vehicles a month wouldn't be sufficient but we could agree on what would be the right balance on these lanes.

If this were to be considered, it could be used on other lanes which have similar issues. Surely it would be better and fairer to keep the lanes open this way ? These particular lanes could be kept as "challenging lanes" and suitable tyres and capable vehicle would be required which could also discourage users whose vehicles are not appropriate.

It is essential that amenities are open to all users – not just walkers, motorcyclists and horse-riders. Responsible 4x4 users do not get a fair deal despite our UK-wide efforts to assist the public in adverse weather conditions and times of need. I urge you to reconsider the proposed."