
LARA NEWS

ISSUE 2 – JUNE 1993

Welcome to LARA NEWS

This is the second issue of LARA NEWS. Most of you know something of LARA, but you may be unclear as to just how LARA relates to your national motoring organisations. This is spelt out in the first edition of LARA NEWS, but at any time you can contact your organisation's LARA representative, or either of the LARA officers at the addresses overleaf.

LARA NEWS is distributed through LARA member organisations. Dealing mainly with general access issues and motor recreation, LARA NEWS is a companion to MFU MATTERS, the LARA news-sheet on competition matters, which is distributed through the same channels. There will be an overlap of information between both newsletters, but we believe that the production of both will provide a better service.

LARA Symposium Success

Leamington Spa was the venue for this LARA one day event, held on 21 April, and entitled "Planning for Motor Sport & Recreation in an Increasingly Sensitive Environment". This well attended meeting was backed-up by two comprehensive volumes of background and speaker papers containing new material unavailable elsewhere and of great value to everyone involved in motor sport and recreation. These papers are now available from LARA at £12 the set, including P&P. A list of current LARA publications is also available on receipt of an SAE. The issues arising from the Leamington Symposium will be reviewed in a future LARA NEWS.

Psst – Wanna Buy a Forest?

Now that British Gas and British Telecom have been privatised, the Government is looking closely at the Forestry Commission's huge land holdings. The sheer scale of this operation means that a sell off to one, or even a few buyers in the private sector is probably not feasible, and until recently it looked as though the FC would be one of the last public holdings to be axed.

Now, though, it seems that the Treasury, faced with a serious cash deficit for 1993, is looking to get the sale of the forests rolling as quickly as possible. This decision, while still not "official", has been strongly flagged in parliamentary questions, and the threat to recreational users of the forests was highlighted at the recent meeting of the Outdoor Pursuits Division of the Central Council for Physical Recreation. This thrice yearly get together is attended by the British Motorcyclists' Federation in a joint initiative with LARA.

The future of car stage-rallies and motorcycle enduros depends very much on the availability of suitable forest venues at reasonable cost. The Forestry Commission has an excellent working relationship with the RACMSA and the A-CU, but there is no certainty that this would, or could, continue should the forests fall into private hands.

At present nobody knows how the forests will be chopped up, or who might buy the pieces. It might be that small parcels will be sold off to individual companies – it seems likely that the paper and chipboard industries will wish to safeguard their supply of raw materials. Big investors – pension funds and foreign conglomerates included – may buy. How likely are they to want to bother with sporting access, even where this pays well? Other competitive users such as orienteers, mountain-bike racers, and dog-sledge racers would also be affected.

Recreational users of forests are also worried. The Ramblers Association is already thinking of seeking a Private Member's Bill to safeguard open access for walkers, but we can guess that this would not cover the needs of cyclists, equestrians, or recreational vehicle users. Many forestry plantations contain vital miles of green road, some of them already overgrown or obstructed. Where users can get round blocked forestry tracks they tend not to mind too much, and everyone gets on with the job. But what if the woods go into private hands? How much care will private foresters have for the old roads and those who want to use them?

If the forests are privatised, then we, the people of Britain – who own them when all is said and done – should be safeguarded by a requirement that all minor highways must be properly available before sale, and kept that way afterwards. This is a vital issue for motor sport and recreation, and we may well have to lobby our MPs promptly should the Government move to sell up.

Success in Somerset

Six years is a long time, even in rural Somerset where change happens slowly. It was back in 1987 that local TRF man Gwyn Thomas was threatened with prosecution for driving his car on Dursdon Drove, a green lane close to his home on the Mendips. Dursdon Drove was, at this time, recorded on the "Definitive" Map as part footpath, part bridleway, but Gwyn's researches had shown that it is, in truth, an old general purpose road. Gwyn defeated the prosecution, with significant costs awarded against the Crown Prosecution Service, and set in motion the procedure to have Dursdon Drove properly recorded as a Byway open to all traffic (BOAT).

Somerset County Council opposed the claim for BOAT status, even though the evidence was very strong, and made instead an order recording the whole length of the Drove as 'definitive' bridleway. Gwyn, supported by LARA, the TRF, and local horse riders, opposed this and a Public Inquiry was held in 1989. The Inspector found that vehicular rights exist, and ordered the modification of Somerset's incorrect bridleway order. This meant, unfortunately, that another Public Inquiry had to be held, this time in 1993. The results of that Inquiry have just been published, and Gwyn Thomas' hard work and determination have been vindicated – the Inspector has again confirmed that Dursdon Drove is a public road for all purposes.

Some details of this case are quite nasty – four of Gwyn's tyres were slashed, and threats made – and hugely wasteful. Two Public Inquiries were needed instead of one because Somerset CC would not acknowledge the worth of Gwyn's researches. Such delay and the resultant acrimony makes a complete mockery of the notion that the "definitive" map can be accurate by the year 2000.

New Age Problems

As summer approaches, so does the season for the mass-migration of the New Age Traveller. Whatever your view on this form of alternative lifestyle, there is no doubt that the existence of these travellers can create real problems for green road users, especially in the South and South-West. Soon after the well publicised confrontations between Travellers, Police, and communities last summer, the Government announced that it would "take measures" to control what they see as a real problem. LARA immediately asked the Government to take care that whatever measures are introduced should not operate to exclude *bona fide* green road users in the attempt to curb unlawful camping.

We received assurances that our interests would be kept in mind, but there is still a worry that legitimate road users may suffer as a consequence of whatever new laws are passed later this year. In some areas local panic measures have already led to TROs on valued resources. Once the new proposals are known, LARA will examine them carefully for any hidden dangers. It will then be necessary for you all to lobby your MPs at local level to ensure that we are not swept away in their haste to keep "Travellers" out of your patch.

"TOY" Motorcycles and the Law

The Law is not crystal-clear on what constitutes a *motor vehicle*. A car or motorcycle that is, or once was, registered for use on the road is almost certainly subject to the provisions of the Road Traffic Act, but the situation is less clear where the machine was never *intended or adapted for use* on the highway. In a significant legal case it was held that a "go-kart" is not so *intended or adapted* but a later case said that an Italjet child's trials 'bike could be so described. LARA has an informative article on this complex subject in the papers from the Leamington Spa Symposium. Since that was printed, a further interesting case has been reported. In May 1993 a man was convicted of drink-driving on his nephew's "49cc Toy Motorcycle" in a supermarket car-park in Gwent. This case shows that users of unregistered motorcycles can be prosecuted for using them in a public place, but it may be that the serious circumstances of this particular case motivated the Police and Crown Prosecution Service. Where illegal use of off-road motorcycles is a regular problem, the police and prosecuting authorities have been reluctant to act, but perhaps no longer?

Recreation 2000 - Reality or Fantasy?

Recreation 2000 sets out the Countryside Commission's ambitious target to have all rights of way correctly recorded and available by the year 2000 – just another six and a half years to go! The target for National Parks is 1995...

LARA member organisations strongly support the idea of getting the 'definitive' map accurate, and all our ancient highways in a usable condition, but we wonder if slavish adherence to the ideal is not already clouding the issue. Look at the situation in Northumberland – potentially a paradise for green road and bridleway users.

In a recent structural change the responsibility for rights of way was taken from the Northumberland National Park and placed with the County Council at Morpeth. The Rights of Way Manager resigned and has not been

replaced; other vacancies remain unfilled. Northumberland now has serious problems – obstruction, ploughing, no signposting, etc, for almost 75% of its 3000 mile network of rights of way. Over 50% of the bridleways are reported as blocked, and they have over 3000 letters of complaint going back for 4 years (and often thrown away if they get older than that!). Current estimates are that by the year 2000 the problem here will be much worse than now. How will the proposed local government re-organisation affect the ability of councils to meet the targets? How does your local authority measure up? Please let us know.

CPRE – Over the top for England?

The Council for the Protection of Rural England is a long-established national organisation devoted to protecting the English countryside and heritage. Few would argue with the need for that, but the CPRE may be going, just a little, over the top...

Just when LARA and its members are trying hard, working with others, to minimise any friction or potential conflict between our activities and the interests of other users of the countryside, the CPRE proudly announces that "Conflicts are useful things" in their campaign to regulate motor sport and recreation out of existence.

These policy statements were made at a recent Sports Council Conference by the CPRE's planning officer, Neil Sinden. The CPRE, it should be understood, is not against motor sport, but thinks that it should only take place in the "most appropriate locations" as decided by local authorities. To achieve this aim, the CPRE is actively lobbying the Government to end, or severely restrict, the provisions of the General Development Order (GDO) which allows motor sport to take place without seeking planning consent for a limited number of days in each year. They also wish to use planning law "to control the vehicular use of bridleways (*sic*)".

If the CPRE gets its way, the organiser of the smallest club trial will have to apply for, and get, planning permission for each and every event, with all the cost and palaver that entails. The CPRE suggests that "certain sports will be deemed undesirable in environmental terms" (guess which ones!) yet suggest that "responsible motor sport bodies should support these proposals to tackle the problem of rogue bodies".

These guys cannot be serious! But they are. And they are a real threat to the small events – the real foundation of motorsport everywhere.

LARA: *part of the solution*

LARA NEWS is based on material supplied by all member organisations of LARA, the Motoring Organisations' Land Access & Recreation Association, and compiled by Alan Kind, Motor Recreation Development Officer.

The LARA Motor Sport Development Officer, David Kersey, operates from A-CU House, Wood Street, Rugby CV21 2YX