

## Regulatory and Other Committee

### Open Report on behalf of Richard Wills

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>15 July 2013</b>
Subject:	<b>Denton to Skillington, The Drift/Viking Way - Proposed Prohibition of Driving Order</b>

#### Summary:

This paper updates the Committee on progress since approval was given to implement a seasonal prohibition of driving order on a section of the Viking Way near Denton. It also recommends an all year round prohibition order is needed to ensure the Council's duties under the Wildlife and Countryside Act are discharged.

#### Recommendation(s):

It is recommended that approval is given to consult to permanently prohibit all motorised vehicles from using this length of road for all of the year rather than the seasonal closure. This will be under Section 22(1) (viii) of the Road Traffic Regulations Act.

#### Background

A report was considered by this Committee on the 10<sup>th</sup> April 2012 (copy attached), which approved that a seasonal Prohibition Order, operational between 1 October to 31 March, should be implemented on this section of the Viking Way. Committee also requested that an update paper should be presented to this Committee in the summer 2013.

Works undertaken over the past year whilst the closure has been in place are as follows:

- Memorandum of Agreement signed by LCC and Natural England to work together in respect of the restoration of The Drift Site of Special Scientific Interest (SSSI)
- Removal of fly tipping (continuous process) undertaken by SKDC

- Spot spraying of all negative indicator species of plants– undertaken in August 2012
- Hay cutting undertaken in July 2012
- Removal of some scrub
- Erection of legal signs to prevent unauthorised vehicle access
- The Drift SSSI is now a local Police Priority to prevent unauthorised vehicle usage and damage to the SSSI
- Filling in of gaps within the hedgerows and back fencing barriers to prevent damage by motorised vehicles (grant funded by Natural England £20,000)

During the six month 'open' season, April 2012 – October 2012, major damage was being caused by 4x4 and off road vehicles. It should be noted that during this time rainfall was exceptionally high with saturated ground conditions. This resulted in us implementing an emergency closure order in order to protect the SSSI, in accordance with our duties under the Wildlife and Countryside Act. This requires LCC to take reasonable steps to further the conservation and enhancement of a SSSI and to assist Natural England in achieving the Government's Biodiversity 2020 targets in ensuring that sites assessed as 'recovering' (such as The Drift) maintain progress towards favourable conditions.

## **Conclusion**

Following the successful works undertaken to date with the temporary closure, and taking into consideration that the permanent open/closure arrangement has failed to protect this important SSSI, it is requested that approval is given to consult to permanently prohibit all motorised vehicles from using this length of road for all of the year rather than the seasonal closure. This will be under Section 22(1) (viii) of the Road Traffic Regulations Act

## **Consultation**

### **a) Policy Proofing Actions Required**

N/A

## **Appendices**

These are listed below and attached at the back of the report	
Appendix A	Committee Paper from 10 April 2012
Appendix B	Minutes of Planning and Regulation Committee Meeting of 10 April 2012

## Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Report to Planning and Regulation Committee 10 April 2012: Denton to Skillington, The Drift/Viking Way - Proposed Prohibition of Driving Order	Committee Records

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