

97 letters and emails of support for the permanent Traffic Regulation Order have been received.

These include support from:

- Chute Parish Council
- Michael Ancram MP
- Brigadier Robert Hall, Member, Wiltshire County Council
- Mr. Peter Veasey, Member, Kennet District
- Local landowners
- Local residents
- Area Police Officer
- Natural England
- Director of North Wessex Downs Area of Outstanding Natural Beauty (AONB)
- Wiltshire Wildlife Trust Wildlife Site Officer for Swindon and Wiltshire
- Wiltshire Wildlife Trust Head of Biodiversity Action
- ex Chairman of the Conservation Committee of the Wiltshire Wildlife Trust
- Green Lanes Environmental Action Movement (GLEAM)
- Wiltshire Ramblers Association
- Andover Ramblers Association
- Chairman of the Kennet District Group of the Campaign to Protect Rural England (CPRE)
- County Access Bridleways Officer for the British Horse Society.

SUPPORT	OFFICERS RESPONSE
DAMAGE	
<p>The reinstatement of the byways during the TTRO period has to date involved major work and financial input such was the extent of the damage previously caused by vehicles and is still to be completed. Re-opening these byways to recreational vehicles use will quickly return them to their previous state which will demand a similar resource input by County taxpayers – which is hardly value for money. It would be a waste of effort and expenditure to allow the surfaces to be destroyed again.</p>	<p>There is photographic evidence of this work before and after. See Photographic Evidence Appendix 3.</p>
<p>Damage to the surface has been a disgrace. Chantry Lane is an ancient flint track and has had the top of the camber chipped by the torque of accelerating motor bikes allowing water ingress that will rapidly erode the track. Parts of the track have now become loose stony gravel often revealing the underlying chalk. Honey Bottom is a green track of poorly draining clay soil which is easily damaged. Honey Bottom became a rutted quagmire so that horse riders and walkers found the route effectively no longer useable. The track is not suitable for hard surfacing, it would be out of keeping and environmentally and historically ruinous.</p>	<p>Officers confirm that prior to the repair work carried out in 2008 the byways through Honey Bottom were deeply rutted, very difficult and potentially dangerous for walkers and horse riders to use. See Photographic Evidence Appendix 3 photographs 1 and 2.</p> <p>There were clear signs that the flint surface of Chantry Lane was being damaged by the passage of motor vehicles.</p>

SUPPORT	OFFICERS RESPONSE
We have witnessed a motorbike force its way through gates into nearby fields and ride on ancient meadow area.	<p><i>It is an offence under the Road Traffic Act 1988 to drive a mechanically propelled vehicle without lawful authority or excuse onto any land that does not form part of a road or is a footpath, bridleway or restricted byway.</i></p> <p>Source: Defra - Report of research project on motor vehicles on byways open to all traffic</p>
I have witnessed the gradual destruction of the byways from what was a delightful walk for pedestrians and horse riders to an almost impassable quagmire. 15 years ago the natural fauna and wildlife lived a largely undisturbed existence. With the onset of recreational motorised vehicles there appeared to be an enthusiasm to churn up as much mud as possible to make the route more challenging, these are mindless acts of vandalism.	See Photographic Evidence Appendix 3 photographs 1 and 2.
Following extensive works at Honey Bottom grass is once more the predominant feature but it will take many years before the subsoil has predominantly recovered with its infrastructure of fibre and roots.	
MPV's which used these tracks contravened s131A Highway Act 1980 and s1(1) Criminal Damage Act 1972 (damaging the surface of the highway).	Under the Criminal Damage Act 1972 it would be necessary to show that the damage was wilfully caused for an offence to have been committed.
The right to use a route does not extend to the right to damage it.	Officers agree with the comment.
No single motorised vehicle is likely to cause irreparable damage but the multiple and continual use will.	Officers consider that the byway is incapable of sustaining regular use by motor vehicles. See Photographic Evidence Appendix 3 .
SAFETY	
Rights of way enable people to get away from roads used mainly by motor vehicles and enjoy the beauty and tranquillity of large parts of the countryside to which they would not otherwise have access. They are becoming more important as increases in the volume and speed of traffic are turning many once quiet country roads into unpleasant and sometimes dangerous places for walkers, cyclists and equestrians.	The Council has a duty to assert and protect the rights of all types of users. Vehicular users should, however, be in a minority on a BOAT. It is reasonable to consider the use of a TRO if the statutory grounds are satisfied and the majority of users are being endangered or substantially inconvenienced by the minority.
Use by recreational motor vehicles has become inimical to the use by other users, effectively discouraging if not denying their use.	<p><i>Conflicts between users do occur, particularly where there is significant use of byways for recreational driving and use by other, non-mechanically propelled users. Where conflict occurs, authorities should examine the nature and causes of this conflict and establish measures to minimise its occurrence</i></p> <p>Source: Defra – Making the Best of Byways.</p>

SUPPORT	OFFICERS RESPONSE
	<p>The statutory Rights of Way Improvement Plan guidance for England [Defra, 2002] states that: <i>Wherever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict lawful motorised use of public vehicular rights of way.</i></p>
<p>Motorbikes and 4x4 drivers are noisy, dangerous and wilfully aggressive towards other users.</p> <p>Motorised vehicles cause terrible noise pollution.</p>	<p><i>The impact of motor vehicle use will in general be increased by higher speeds and by higher noise levels.</i></p> <p>Source: Defra - Report of research project on motor vehicles on byways open to all traffic.</p>
<p>During the Temporary Traffic Order period the use of the byways by walkers, cyclists, riders, etc. has increased significantly, as has their enjoyment. Children are now again in evidence as are families young and old. This comment is reiterated by many residents of Chute and the surrounding villages.</p>	<p>WSC Wadrup, an Inspector appointed to preside over Hampshire County Council's Voluntary Public Inquiry in November 2008 states: <i>allowing motorcycle use ... is bound to be detrimental in terms of the environmental enjoyment of the Byway by pedestrians, cyclists and horse riders.</i></p>
<p>Off-road activity, especially by motor bikes, has made walkers and horse riders feel very unsafe driving many people off these ancient paths.</p> <p>The use of motorised vehicles had completely changed the look and atmosphere of these byways.</p>	
<p>Abuse by motorised traffic ghettoised Chantry Lane. Motorbikes have enjoyed travelling at fast speeds and the effect of this activity was to drive non-motorised users away from this route, children are certainly not allowed to use the route alone.</p>	<p><i>The anti-social and environmentally damaging use of motor vehicles away from public highways both in the countryside and in urban areas cannot be ignored.</i></p> <p>Source: Defra – Regulating the use of motor vehicles on public rights of way and off road.</p>
<p>We have always been aware that it is not safe to let children play alone on the lanes. On several occasions motorbikes have not slowed down as they passed us on the lane and have been a threatening presence to the children.</p> <p>I know of a rider that was thrown from her horse by a biker coming out of the forest without stopping.</p> <p>2 bikers have ridden straight at me when I attempted to confront them.</p> <p>On several occasions we have witnessed little ones running in our gate to dodge vehicles driving down the lane too fast.</p> <p>My children and myself have very nearly been mown down by a convoy of four 4x4 drivers travelling far too quickly.</p>	<p>WSC Wadrup, an Inspector appointed to preside over Hampshire County Council's Voluntary Public Inquiry in November 2008 states: <i>the crucial question is whether the withdrawal of such a right could be justified by the advantage to other in terms of the removal of danger or perceived danger – I am mindful of the considerable evidence of irresponsible use of the BOAT and the denial of legitimate enjoyment to others that such a behaviour would continue to cause unless the TRO is implemented effectively.</i></p>

SUPPORT	OFFICERS RESPONSE
<p>We have had, prior to the TTRO, a number of close shaves where we have had to move fast to avoid motorcyclists going at wholly inappropriate speeds on the byways.</p> <p>I have spoken to a number of drivers and motorcyclists who have shown little concern for the inconvenience of other users and the damage they inflict. Many of the motorbikes are unlicensed.</p> <p>The sound of motorbike engines which roar over the peaceful countryside immediately conjures up 2 or 3 bikers who try and out rev the other and who drive towards people on foot too quickly.</p>	
<p>Sections of Chantry Lane are narrow in width and enclosed by a steep bank on one side and a sloping bank to the other. The Ludgershall section of Honey Bottom is extremely narrow even for walkers.</p>	<p>See Photographic Evidence Appendix 3, photographs 3 and 4.</p>
<p>The tracks undulate and curve with the landscape making visibility poor.</p>	
<p>Where tracks are narrow and incised and made muddy by vehicles, pedestrians, cyclists and horse riders cannot turn aside and are forced to use the very muddy route. This raises obvious trip and slip hazards particularly in very wet conditions where the uneven and unstable surface may be hidden under a turbid pool of water. Anyone not fit and with robust mobility is simply excluded entirely; everyone else is put off by the obvious hazard.</p>	<p>See Photographic Evidence Appendix 3, photographs 1 and 2.</p>
<p>The area Police Officer states - since the TTRO has been in place I have had no complaints from locals and Parish Councils regarding abuse and damage to the byways. I have noticed an increase of use by locals including children. Prior to the TTRO the abuse and damage was regularly raised at Parish Council level, to the point that I always had to carry a video camera in an attempt to photograph offenders.</p>	<p>Wiltshire Council policy states: <i>permanent TRO on Byways Open to All Traffic (BOATS) will be introduced only in response to specific problems and where a degree of enforcement action can be taken.</i></p> <p>The Police Officer's comments show that enforcement is possible on these BOATs.</p>
<p>MPV's which used this track contravene s3 Road Traffic Act 1988 (careless and inconsiderate driving).</p>	<p>This should be regarded as no more than an allegation. There have been no proven cases of careless and inconsiderate driving on these byways although the comments of the area Police Officer (above) may be considered relevant.</p>
<p>Quiet enjoyment used to be the rule not the exception. Special interest groups such as the Trail Riders Fellowship are currently unable to influence the behaviour of the majority of motorised users of this byway. As a result the predominant users of rights of way have been deprived of their rights.</p>	<p>See the Police Officer's comments above.</p>

SUPPORT	OFFICERS RESPONSE
Many residents have noticed an increase in the use of the byways by walkers, horse riders and cyclists since the TTRO.	
Prior to the TTRO we had been plagued by dangers, disruption, noise and pollution to the local environment.	
ALTERNATIVE ROUTES	
There are alternative routes for vehicles.	There are a number of metalled roads in this area that would offer a suitable alternative to the byway and would not diminish the access to the beautiful scenery that Chute has to offer. WSC Wadrup, the Inspector appointed to preside over Hampshire County Council's Voluntary Public Inquiry in November 2008 agreed that: <i>The local road network provides convenient, adequate and commodious alternative routes for the motor traffic.</i> Wiltshire Council could assume that this is a relevant consideration.
ENVIRONMENTAL AND HISTORICAL ISSUES	
It is not appropriate to permanently surface Chantry Lane as it is a historic knapped-flint surface which is of considerable heritage value and adds to local character and distinctiveness.	The provision of a more sustainable surface for vehicles use would amount to improvement, not maintenance. Improvement to a public right of way under section 62 of the Highways Act 1980 is a power not a duty. See Photographic Evidence Appendix 2 , photographs 5 and 6.
Chantry Lane dates back to the time when there was a Christian religious 'chantry' close to Dean Farm. A great deal of thought and hard manual work went into the construction of this flint laid lane.	See Appendix 6 for Assistant County Archaeologist comments.
These byways should be preserved for future generations and enjoyed for its peace and tranquillity and as area where healthy and safe exercise can take place.	WSC Wadrup, the Inspector appointed to reside over Hampshire County Council's Voluntary Public Inquiry in November 2008 states: <i>it is ... extremely tranquil and peaceful, a value which would be cherished by the many on foot, bicycle or horseback. I can therefore understand the rejection by those seeking solitude and peace of the acceptability of motorcycle use of the Byway.</i> Wiltshire Council could assume this is a relevant consideration.
Decisive action should be taken to preserve and protect the beauty of our countryside.	TRO's may be made for this purpose.
Chute is a very quiet parish sometimes described as the hidden gem in North Wessex Downs AONB. Destroying ancient surfaces and shattering peace and tranquillity do not comfortably co exist with this designation.	The North Wessex Downs AONB states - Quiet recreation and tranquillity are key characteristics of the North Wessex Downs AONB.

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<p>Peace and tranquillity in a truly stunning location should be treasured and preserved for those that want quiet enjoyment of the countryside.</p>	
<p>The byways run thorough farmland, located in the AONB which is part of two Countryside Stewardship schemes and an Entry Level Scheme. As these byways run through farmland in environmental schemes Natural England would expect that the schemes would provide an enhanced countryside for visitors to enjoy and feel welcome.</p> <p>Natural England is working with farmers and landowners in this area to provide environmental improvements, both wildlife, landscape and public enjoyment. Natural England has objectives to encourage visitor access to the countryside for quiet informal recreation, for both health and wellbeing purposes, as well as to enjoy the landscape and wildlife.</p>	<p>This is a statement by Natural England.</p> <p>Natural England's mission statement is:</p> <p><i>Natural England is here to conserve and enhance the natural environment, for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings.</i></p>
<p>Quiet recreation and tranquillity are key characteristics of the North Wessex Downs AONB, their management plan states: DP7 Adoption of consistent AONB-wide approaches resisting noise-generating developments within the AONB including noisy sports.</p> <p>RA1 Strong support will be offered for positive and consistent AONB-wide control of off-road vehicular use of byways of the North Wessex Downs, stating that it is critical to the character of the North Wessex Downs that off-road motorised traffic is not allowed to detract from the tranquillity and quiet enjoyment of this national landscape.</p>	<p>This is a statement by the North Wessex Downs AONB.</p> <p>North Wessex Downs AONB's mission statement is:</p> <p><i>Areas of Outstanding Natural Beauty (AONBs) have been described as the "jewels of the English landscape" and - along with National Parks - are nationally important and legally protected landscapes.</i></p> <p><i>An Area of Outstanding Natural Beauty (AONB) is exactly what it says it is: a precious landscape whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them.</i></p>
<p>Wiltshire Wildlife Trust states - Chantry Lane runs along semi-natural ancient woodland and a broadleaved plantation on an ancient woodland site. Smaller copses between these woodlands are County Wildlife Sites which although not adjacent to the lane provide corridors by which species are able to move between Wildlife Sites, forming a much larger ecological unit.</p>	<p>This is a statement by Wiltshire Wildlife Trust.</p> <p>Wiltshire Wildlife Trust's mission statement is:</p> <p><i>Rebuild biodiversity across Wiltshire by changing the way we design, manage and behave in the landscape.</i></p> <p><i>Achieve a fundamental shift in people's behaviour, values and actions so our lifestyles become more sustainable.</i></p>

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<p>Wiltshire Wildlife Trust states - that the byways are adjacent to a recently de-scheduled , former Wildlife Site, Chute Down East, which we hope will be restored and re-designated in the future with the careful stewardship of the landowner. There are also plans to manage the southern section of Honey Bottom which has a woodland influenced ground flora in order to create a much more naturalistic ecotone between the plantation woodland and the adjacent arable land. There is the potential to provide a great wildlife benefit. The byways are a conduit for the passage of wildlife between the important designated sites adjacent to it. The area has been covered by the Wiltshire Flora Survey 1993 and the Wiltshire Ornithology Survey 2007, both indicating the importance of the surrounding woodlands.</p>	
<p>The domain of the combustion engine already stretches into too many previously quiet corners; please preserve this beautiful landscape as the sanctuary of peace that it is.</p> <p>It seems wrong to allow a small minority of motorised vehicles to take away the tranquillity enjoyed by the vast majority of byway users (walkers, horse riders, cyclists, locals).</p>	<p>One of the criteria for making a TRO is: <i>for preserving or improving the amenities of the area through which the road runs.</i></p>
<p>It is by nature and location especially suitable for use by persons on foot or on horseback precisely because of its historic and sometimes narrow character.</p>	<p>Criteria for making a TRO states: <i>for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot.</i></p>
<p>The rare orchids and wild insects which flourish in these remote, normally quiet meadows is badly affected by racing bikes and the tracks and verges suffer from their misuse.</p> <p>The smell of the fumes when these MPV's zoom past is overwhelming and can't be good for the flora and fauna let alone other users.</p> <p>The area is rich in biodiversity; by reducing disruption and pollution their habitats' would be protected.</p>	<p>Following the implementation of the Countryside and Rights of Way Act 2000, Section 22A was added to the Road Traffic Regulation Act 1984. Sub-section 22A (1) allows TROs to be made on any byway for:</p> <p><i>the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area or recreation or the study of nature in the area.</i></p> <p>See Photographic Evidence Appendix 3, photographs 7 and 8.</p>
PRIVATE RIGHTS	
<p>Private access and recreational use are separate categories as private access is not optional. Chute Parish Council have found that local farmers have a good record of management of local byway surfaces, voluntarily take on responsibility for some maintenance work and have increasingly found ways to avoid use of these byways altogether.</p>	<p>Agreement by landowners to limit their use of the byways is not enforceable. However the landowners who do possess private vehicular rights over these byways have agreed to adopt the practice of reducing to a necessary minimum their use with vehicles and have pledged to continue with this practice.</p>

SUPPORT	OFFICERS RESPONSE
<p>Residential traffic is confined to short lengths of the track and is very limited in frequency preferring to use other routes. Farm traffic is kept to a short length of the tracks and by its nature is slow.</p> <p>The byway provides access to 6 households, together using between 50 to 600 metres of the track. Farm traffic is limited to one short stretch of roughly 200 metres and crossing points.</p>	
STRATEGIC NETWORK	
<p>The track is a very important spinal route for many of the walks and rides enjoyed by inhabitants of the parish and visitors alike. It leads to longer walks and rides and makes up circular walks.</p> <p>These tracks make up essential links in many local walks and rides and its remote quietness and unspoilt nature is a joy to all non-motorised users.</p>	<p><i>Rural roads can be dangerous. Traffic is steadily increasing on them and given these dangers non-motorised users rely on the relative safety of and access to Byways instead.</i></p> <p>Source: Hampshire County Council Public Inquiry.</p> <p>Wiltshire Council could assume this is a relevant consideration.</p>
<p>Local horse riders are pleased to be able to find a secluded ride away from surfaced public roads.</p>	<p>The local road network is both busy and narrow and generally less suitable for horse riding.</p>
<p>The County Wildlife Sites can only be enjoyed if accessible and the only route of access is via these byways. Use by excessive number of vehicles under these conditions actively excludes other classes of users. One class of user cannot be allowed to have such a large adverse impact.</p>	<p>The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders.</p> <p>TRO criteria states: <i>for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot.</i></p>

65 letters and emails of objections to the proposed Traffic Regulation Order have been received.

They include objections from:

- Trail Riders Fellowship
- All Wheel Drive Club
- Green Lane Association (GLASS)
- Devizes District Motor Club
- Member of the British Horse Society
(however, officers note that the last is in contradiction to the views of the County Access Bridleways Officer for the British Horse Society.)

OBJECTIONS	OFFICERS RESPONSE
DAMAGE	
<p>The surface condition of the byways show little evidence of excessive use and have a firm stone base, capable of taking regular MPV use. It is interesting to note that Wiltshire Council seem keen to preserve the character of the byways and this is given as a reason to exclude MPV's. History repeatedly shows that these types of roads (for that is what they are) were always muddy or floundrous due to damage inflicted by horse and cart; far more than a motorcycle could inflict nowadays. Lighter traffic was therefore forced to use alternative routes which became the footpaths and bridle paths we know of today. To claim that surface erosion is a new phenomenon and a reason to ban MPVs is erroneous.</p>	<p>The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders.</p> <p>TRO criteria states: <i>for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot.</i></p> <p>See Photographic Evidence Appendix 3.</p> <p>The Honey Bottom section does not have a firm stone base.</p>
<p>Motorcycle impact on the surface of byways is no worse than that of a horse and rider due to their lighter weight, therefore any planned TRO should include an exemption for motorcycles. Alternatively restrictions based on weight, vehicle type or permit could be applied. These are all valid options in the Defra document Making the Best of Byways the principles of which should be explored and actioned before making permanent TRO's prohibiting MPV's.</p> <p>Honey Bottom is all but impassable to walkers and cyclists due to horse and heavier vehicles but the fault does not lie with the recreational motorcyclist.</p> <p>The lanes should be kept open for motorcycle use as they cause less damage than horses.</p>	<p><i>Damage to byway surfaces in general increases exponentially with the increase in axle loading. Motorcycles are likely to have the lowest axle loading of any vehicle but their ability to accelerate quickly can produce rutting on soft surfaces. However, the main concern is with vehicles with heavier gross vehicle weights.</i></p> <p>Source: Defra - Report of research project on motor vehicles on byways open to all traffic.</p> <p>The proposed permanent TRO is not just on surface condition grounds but also safety for the predominant user groups.</p>
<p>The government funded study into vehicular use of rights of way conducted by independent consultants Faber Maunsell concluded that vehicular use is a sustainable activity. Despite this, the MPV user community is becoming increasingly frustrated with the rapid rise in the use of TRO's, particularly when valid alternatives have not been implemented or (as in this case) the physical condition of the particular byway indicates the a TRO is unnecessary.</p>	<p>The proposed permanent TRO is not just on surface condition grounds but also safety for the predominant user groups.</p> <p>There has been no rapid rise in use of permanent TRO's in Wiltshire. TROs have been used in response to weather, ground conditions and irresponsible use over the last 2 years.</p>

OBJECTIONS	OFFICERS RESPONSE
<p>Can Wiltshire Council prove that Honey Bottom's primary use is for walkers and equestrians? It is not a green lane it is an unsurfaced road that has full vehicular access rights.</p>	<p>The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders.</p>
<p>The Highway Authority has a duty to s130 HA 80 to maintain the route to the standard required of the traffic to which it is subject.</p> <p>The TRO is partly cost driven. The Council has a statutory duty to keep rights of way open, not close them on the grounds of cost and should budget accordingly.</p> <p>The TRO is to enable Wiltshire Council to avoid your legal liability to repair these byways, presumably because of cost.</p>	<p><i>The Highway Authority's responsibility for maintenance of a byway only extends as far as the ordinary traffic of the neighbourhood. There is no legal requirement upon a Highway Authority to maintain the surface of byways for the passage of motorised vehicles.</i></p> <p>Defra - Report of research project on motor vehicles on byways open to all traffic - (neighbourhood = a surrounding or nearby region).</p> <p>A number of supporting letters have been received from residents of the local villages and the Parish Council that the route be exempted from motorised traffic.</p>
<p>What method has Wiltshire Council determined that the cause of the ruts and mud is a direct result of recreational MPV use and not agricultural land access, lack of repairs, poor drainage, neglect or a combination?</p> <p>Devizes and District Motor Club at their last inspection of the route noted that it was clear that heavy vehicles – other than cars had been using the track.</p>	<p>Since the TTRO and subsequent byway surface maintenance the surfaces have improved to the extent other users and user groups are telling Wiltshire Council that they are happy to use them again.</p> <p>See Photographic Evidence Appendix 3.</p>
<p>Rutted damage of these byways is clearly caused by 4x4s and heavy forestry work vehicles. The byways provide easy passage year round to myself on motorcycle, mountain bike and foot when not churned up by forestry works.</p>	<p>Forestry work has carefully avoided the use of the byways for access. The proposed TRO will facilitate use on mountain bike and foot. Photographs have been taken of the condition of the byways prior to the start of the forestry operations. See Photographic Evidence Appendix 3.</p>
<p>The Trail Riders Fellowship, CRAG and Green Lane Association offered working parties of specialist volunteers to aid with maintenance issues.</p>	<p>Voluntary input by interest groups is now very limited in Wiltshire. The Council's concern is safety of the volunteers and of the byway users who are affected by the results of the voluntary work. Surfacing work by volunteers is specifically excluded for safety reasons.</p>
<p>Honey Bottom is not in a bad state except at the narrow southern section which could be addressed with a seasonal TRO. Perhaps a footpath adjacent to the byway could be considered.</p> <p>The resurfaced grass byway is a joy to ride could the ban on vehicles not just be for this lovely soft cantering track and leave the hard tracks to be enjoyed by everyone?</p>	<p>The proposed permanent TRO is not just on surface condition grounds but also safety for the predominant user groups, therefore seasonal licensing would not be appropriate.</p> <p>TRO criteria states: <i>for preserving or improving the amenities of the area through which the road runs</i> <i>for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot.</i></p>

OBJECTIONS	OFFICERS RESPONSE
<p>Chute 32 and Ludgershall 30 have a natural surface which is bound to be poached by horses and vehicles after wet weather. In that respect they are no different from any other byways in the county. The TRF would not object to seasonal TRO on these two whilst the surface recovers and the council carries out improvements.</p> <p>Voluntary restraint during and immediately after wet periods.</p> <p>Consider a TRO for vehicles with four or more wheels/over a certain weight. Consider a Seasonal TRO.</p>	<p>Voluntary Restrictions are in use on several BOATs in Wiltshire with very little success. Although responsible motorised users may abide by these restrictions unfortunately they have proved to have little effect on those determined to use the byway. The types of incident described by some of the residents of Chute suggest that the majority of MPV users would not abide by a voluntary closure.</p> <p>Officers are aware that inconsiderate use of these byways by horse riders, such as cantering when conditions are wet, can cause damage. However it is considered that any problems of this nature could be resolved through the education of local horse riders and that more severe measures are not necessary. See Photographic Evidence Appendix 3, photographs 9 and 10. Photograph 9 was taken on 30 December 2008, photograph 10 was taken on 2 March 2009, the surface damage by horses has already dried out.</p> <p>Forecasts of global warming suggest an expectation of warmer wetter summers. If they are correct seasonal TRO's would not necessarily provide the desired solution.</p>
<p>It is inevitable that the flint surface of Chantry Lane will wear out eventually if no maintenance work is carried out. There is no shortage of flint in Wiltshire. Flint surfaces are not unusual as stated by Wiltshire Wildlife Trust; the Trust has a track record of prejudice against vehicular users.</p>	<p>The Parish Council and Mr Sykes have stated that the surface of Chantry Lane has been laid by hand – repair would require specific skills and would be very costly.</p> <p>TRO criteria states: <i>for preventing damage to the road</i></p> <p>See Photographic Evidence Appendix 3, photographs 5 and 6.</p>
<p>In many cases it is motorised vehicles that keep byways passable as they can get quickly overgrown.</p>	<p>Motorised use can aid in the prevention of overgrowth. This must be weighed up against the potential detriment to the surface.</p>
<p>It is not damage if use by legal user groups has take place then it is wear and tear from the intended purpose and has not been properly maintained by the council that has a statutory duty to maintain the lane in good repair.</p> <p>The true surface of a lane intended for traffic would not be covered in grass. If it is it is clear that the true nature of the lane, that is a road, has been changed.</p>	<p>The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders. There is no legal requirement upon the Highway Authority to maintain the surface of BOATs to a condition that is suitable for the passage of vehicles.</p> <p>Honey Bottom was never surfaced. If the main traffic had been vehicular it is possible that it would have been surfaced at some stage out of necessity.</p> <p>See Photographic Evidence Appendix 3.</p>

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<p>If the lane is properly constructed with suitable drainage and surface then cutting trees down to allow more air and light is risible. Trees do tend to remove large amounts of moisture from the surrounding soils naturally and their structure and root system tends to stabilise the area preventing surface soil loss. Now that more surface have been exposed I would expect more surface soil erosion and would expect that properly constructed drainage channels either side of the lane should have been provided to remove that water that would have otherwise been absorbed and removed naturally by the now missing trees.</p>	<p>It is an age old principle that tracks will restore themselves if given access to light and air. This is chalk land which does not require root structure to hold it together.</p> <p>See Photographic Evidence Appendix 3.</p>
<p>Your description of the track applies to hundreds of other tracks and county roads in Wiltshire we see no reason to single this track out.</p> <p>There is no more justification for the closure of these lanes than any other lanes. There are far more deserving road problems in the County. The proposal would seem a misuse of public funds.</p>	<p>There are other byways in Wiltshire in poor condition however this route is in the process of being repaired by the local landowners and Chute Parish Council. Chute Parish Council has stated that the repairs have resulted in an extensive increase in usage by walkers and horse riders; this has been corroborated by individual letters of support received in the preliminary consultation. Byway 36 leads directly from the village and the spinal byways (Chantry Lane and Honey Bottom) link to this byway and are situated approximately ½ km from the village.</p>
LEGAL RIGHTS	
<p>Wiltshire Council has a statutory duty to protect and assert the rights of all user groups. How is closing these byways to mechanically propelled vehicles (MPV) users fulfilling this function, particularly when other user groups such as walkers and equestrians are already well catered for in the area? The rights of way network should be for all to enjoy and Wiltshire Council should not be excluding particular user groups based on spurious reasoning or pressure from less tolerant individuals or organisations who have their own agenda for excluding MPVs.</p> <p>Defra Guidance - Rights of Way Improvement Plan –where ever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict motorised use of public vehicular rights of way.</p>	<p>The Council has a duty to assert and protect the rights of all types of users. Vehicular users should, however, be in a minority on a BOAT. It is reasonable to consider the use of a TRO if the statutory grounds are satisfied and the majority of users are being endangered or substantially inconvenienced by the minority.</p>

OBJECTIONS	OFFICERS RESPONSE
<p>WCC have relied on uncorroborated claims in an effort to justify the TRO rather than fulfil their statutory duty.</p> <p>This TRO has arisen from a confrontation a landowner had with motorcyclists. It does seem an abuse of power to deny legitimate rights to the public just because one group has behaved in an antisocial way.</p> <p>Byways on my doorstep will be out of bounds purely because of nimbyism.</p> <p>What evidence has the council gathered?</p>	<p>Chute Parish Council initially contacted WCC regarding inappropriate and irresponsible use. During the preliminary consultation we have received a number of accounts of intimidating and antisocial behaviour by MPV users.</p> <p>WSC Wadrup, the Inspector appointed to preside over Hampshire County Council's Voluntary Public Inquiry in November 2008 states: <i>The fact that the Council has no hard figures upon which to make judgements is, in my view, not a reason to dismiss consideration of the TRO. There is clear evidence of the succession of complaint that has been made locally for a considerable period.</i> Wiltshire Council could assume this is a relevant consideration.</p>
<p>Guidance in Circular 9/23 states '<i>authorities should look to solve these (problems) where possible by management measures, based on cooperation and agreement</i>'.</p>	<p>Wiltshire Council has put voluntary restrictions on other byways; they have proved to be unsuccessful. The TTRO has proved to be successful for both the surface of the byway and the usage. See Photographic Evidence Appendix 3.</p>
<p>Making the Best of Byways offers clear and pragmatic advice on looking at repair, maintenance and voluntary restraint agreement before contemplating a proportional restriction.</p>	<p>The 2001 review of the Hierarchy of Trail Routes [Robinson, D., and Wilson, G., 2001] concluded that: <i>voluntary restraint was effective in reducing, but not eliminating, unsustainable use. This indicates that voluntary restraint can be a useful tool for management of byways where reductions in mechanically propelled vehicle traffic is desirable, but not where the prohibition of mechanically propelled vehicles is agreed to be necessary.</i> Source: Defra – Making the Best of Byways</p>
<p>Implementing the TRO's will only impact on the responsible user. Those with little regard for the law or those requiring land accesses will continue to use them.</p>	<p>Chute Parish Council stated that they have found that local farmers have a good record of management of local byway surfaces, voluntarily take on responsibility for some maintenance work and have increasingly found ways to avoid use of these byways altogether.</p>
<p>Making the Best of Byways state that cooperative management should be a first resort and that the regulation orders, through the ineffectiveness and because of their costs should be a last resort.</p> <p>There is concern about the cost of a TRO and whether any traffic measurements have been taken.</p> <p>The proposed TRO conflicts with County Council policy (RoW Improvement Plan 8.3.5), Government advice issued in Circular 2/93 (para 13) and Government guidance contained in Making the Best of Byways (pp.38-41)</p>	<p>Wiltshire Council policy is that TROs should be used only in response to specific problems and where a degree of enforcement action can be taken. Wiltshire's rights of way network is made up of 14% byways and the last permanent Traffic Regulation Order was placed a number of years ago. When the TTRO was placed on these routes to allow works to take place the byways were in such a bad condition the local walkers and horse riders complained to the parish council that they could not use them. Since the TTRO has been in place the surfaces have improved and non-motorised use has increased.</p>

OBJECTIONS	OFFICERS RESPONSE
It is clear that County Council policy and government guidance have been disregarded. The proposals should be abandoned and the money thus saved put towards keeping these roads in a reasonable state of repair according to law.	Enforcement of a TRO on a remote byway has proved to be difficult however three of these byways make up a spinal route parallel to the village approximately ½ km away, and byway 36 runs directly from the village. The local Police Officer has written in support of the TRO stating that enforcement would be possible. There are gates in place. The TTRO has been successful.
Most of the routes affected have a legal width of 40 feet (per Chute Inclosure Award 1820) this is more than adequate to accommodate all classes of user without conflict. If widths have been encroached on the Council should take the appropriate action.	Due to the high banks on Chantry Lane there is not a 40 foot width useable. It seems improbable that there was ever a width of 40 feet available throughout the whole length of these byways. See Photographic Evidence Appendix 3 , photographs 3 and 4.
There are 85 cul-de-sac byways in Wiltshire therefore the reasoning that Chute 36 needs a TRO because it would become a cul-de-sac route is clearly invalid.	The proposed permanent TRO is not just on surface condition grounds but also safety for the predominant user groups
You should not make an order to avoid your duties under the Highway Act 2.41 but should carry out your primary duty of asserting and protecting the rights of users s.130.	The Council has a duty to assert and protect the rights of all types of users. Vehicular users should, however, be in a minority on a BOAT. It is reasonable to consider the use of a TRO if the statutory grounds are satisfied and the majority of users are being endangered or substantially inconvenienced by the minority.
Section 122 RTRA 1984 confers a duty on the council ' <i>to secure the expeditious, convenient and safe movement of vehicular and the other traffic</i> '. Duties must take precedence over powers.	Authorities are under a duty to consider the use of Traffic Regulation powers where this is necessary to secure safe, convenient and proper use of the way.
Lord Justice Lane in R v Surrey CC ex parte Send Parish Council 1979 – <i>The local authority must at all times act with the object of protecting the highway and of preventing or removing any obstruction and more broadly speaking or promoting the interests of those who enjoy the highway or should be enjoying the right of way and the county council must likewise operate against the interests of those who seek to interrupt such enjoyment of the highway</i>	Authorities are under a duty to consider the use of Traffic Regulation powers where this is necessary to secure safe, convenient and proper use of the way.
The Council is proposing to remove the access rights of a user group without proper justification and by the questionable use of TRO legislation that was never intended to be used as such.	Traffic Authorities are under a duty to exercise their powers to make traffic regulation orders ... so as to secure expeditious, convenient and safe movement of all traffic, including walkers, cyclists and horse riders.
SAFETY	
Users need reminding that these routes are in fact roads and are governed by the same rules and laws. Therefore there should be an expectation that vehicles will be met.	The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders.

OBJECTIONS	OFFICERS RESPONSE
<p>The track is wide enough for the most part to accommodate two vehicles but in any event there are many single track roads elsewhere which are used by traffic safely.</p>	<p>Traffic Regulation Act 1984 - Authorities are under a duty to use these powers where this is necessary to secure safe, convenient and proper use of the way. <i>Source: Defra - Report of research project on motor vehicles on byways open to all traffic.</i></p>
<p>WCC cites cases of speeding vehicles using these roads, despite ground conditions being difficult. Has WCC conducted any independent analysis to verify these claims or has WCC relied on hearsay. How many recorded accidents have there been on these byways. Is there a real problem or just a perceived one. Has a traffic count been undertaken to quantify the size of the vehicular problem?</p> <p>The national speed limit is the legal maximum, not the recommended speed. Numerous country lanes are also subject to the national speed limit and are unsafe to drive at that speed, a byway is no different. It is incumbent on the driver/rider to travel at a speed appropriate for the conditions or face prosecution. Again appropriate signage or speed reduction measures would resolve this.</p> <p>The Council has a power to impose a lower speed limit to the national speed limit. If deemed unenforceable then so are TROs.</p> <p>Any rider/driver would know that they can only ride/drive at a speed that is safe pending the prevailing conditions and circumstances. Byways are governed by exactly the same rules and regulations as any other road in the UK.</p> <p>Use appropriate signage and speed humps.</p>	<p>The speeding issue has been highlighted and verified by the constabulary. Aside from a great deal of user evidence from both residents and users that incidents are taking place the constabulary has confirmed these incidents have been reported.</p> <p>Speed humps would not be appropriate at this location.</p> <p>Inappropriate use of speed is not confined to byways.</p>
<p>Chantry Lane is a little steep and does twist and turn but is by no means dangerous.</p>	<p>There is a section on Chantry Lane along Haybourne Copse that twists and has a steep gradient, with a negative camber towards the sloping copse. It has a narrow width, with no verges and a steep bank on one side and a sloping copse on the other.</p> <p>See Photographic Evidence Appendix 3, photograph 3.</p>
<p>GLASS has a code of conduct which promotes a speed limit of no more than 12 mph on unsurfaced rights of way and to be courteous to other users – pull over and stop for walkers but pullover stop and turn off your engine for passing horses.</p>	<p>Reports are that the majority of MPV users are not members of the responsible organisations and do not abide by a code of conduct.</p>

OBJECTIONS	OFFICERS RESPONSE
<p>The TRF have a strict code of conduct which is attached to this report. It will become increasingly difficult in future to persuade new members to follow the code of conduct if careful riders are penalised for the actions of a few irresponsible users. Horse riders are not TRO'd for the bad behaviour of a few riders, for example galloping on and damaging soft surfaces.</p> <p>I am a responsible trail rider at well below the legal speed limit on a well silenced motorcycle.</p> <p>As a member of GLASS we are asked to use voluntary restraint but there is always the minority that spoil it for the majority.</p> <p>The TRO is an affront to the freedoms that we expect in this fine country. This proposal is a form of persecution against many law abiding people.</p>	<p>There is a genuine problem in Wiltshire of irresponsible MPV use. On some byways closed with a Temporary Traffic Order we have had to install metal barriers in an attempt to keep MPV use off the byways. These barriers have been regularly torn out despite being concreted in. This particular sabotage has been on remote rights of way isolated from local monitoring.</p> <p>WSC Wadrup, the Inspector appointed to reside over Hampshire County Council's Voluntary Public Inquiry in November 2008 states: <i>In overall safety terms I conclude that use of the Byway by motorcyclists would constitute a danger to other users despite the very responsible attitude of TRF members.</i></p> <p>Wiltshire Council could assume this is a relevant consideration.</p>
<p>Permanent closure of these routes will inevitably force trail riders and 4x4 drivers to seek enjoyment from less legitimate routes and areas.</p>	<p>This comment highlights that not all trail riders are responsible.</p>
<p>Honey Bottom is only overly narrow at the southern end. I heard from a GLASS member that the farmer had erected a new fence inside the old one effectively narrowing the byway.</p>	<p>This has been checked with the local landowner who assured WCC that the fence was reinstated in the same position.</p>
<p>Anyone who is not driving responsibly and legally should be pursued robustly by the police. Lane closures are a heavy handed and inappropriate approach to solving general policing matters and so should not be used to the detriment of many users.</p> <p>What do the Police say about enforcing a TRO?</p>	<p>The local Police Officer states - a majority of the 4x4 drivers leave the highway code on the country lanes and drive in an intimidating, bullying way and the bikes use inappropriate speed on these byways. I have also received a number of eyewitness accounts of near misses and intimidation. We can enforce TRO either with tickets or seizing vehicles of persistent offenders. It was one of our local priorities.</p>
HISTORICAL AND ENVIRONMENTAL ISSUES	
<p>Why is WCC taking advice from a wildlife organisation regarding a public highway? It seems that whenever a vehicular TRO is called for Wiltshire Wildlife Trust is asked to add weight to the TRO process.</p> <p>Most suitable for quiet recreation is not a good reason to close a right of way.</p>	<p><i>Local highway authorities are reminded of their general duties in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, that they must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.</i></p> <p>Source: Defra Guidance, Rights of Way Improvement Plans</p>

OBJECTIONS	OFFICERS RESPONSE
	<p>Following the implementation of the Countryside and Rights of Way Act 2000, Section 22A was added to the Road Traffic Regulation Act 1984. Sub-section 22A (1) allows TROs to be made on any byway for:</p> <p><i>the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area or recreation or the study of nature in the area.</i></p>
<p>To state that this area is particularly tranquil and remote is misleading. It neighbours the overspill town of Andover, the military training areas of Salisbury Plain and the garrison of Tidworth, it is subject to regular flying activity from Boscombe Down and Middles Wallop and is in close proximity to the busy A303 and Thruxton race circuit.</p>	<p>The byways run thorough farmland, located in the North Wessex Downs AONB and the area is part of 2 Natural England Countryside Stewardship schemes and a Natural England Entry Level Scheme.</p> <p>Local highway authorities have duties in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, that they must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.</p> <p>Officers believe that anyone visiting the area cannot fail to be convinced of its tranquillity and sense of remoteness.</p> <p>See Photographic Evidence Appendix 3, photographs 11 and 12.</p>
<p>The flint surface is merely infill used to repair the byways.</p>	<p>See Appendix 6 for Assistant County Archaeologist comments. See Photographic Evidence Appendix 3, photographs 5 and 6.</p>
<p>You will be changing the character of the road by preventing people from using it as a byway.</p>	<p><i>Traffic Regulation Orders may be made to 'preserve the character of the road in the case where it is particularly suitable for use on horseback or on foot, or preserve or improve the amenities of the area through which a road runs'</i></p> <p>Source: Defra – Making the best of Byways</p>
<p>This byway is well segregated from any flora and fauna so damage is unlikely.</p> <p>Wildlife is know to flourish on motorway embankments and roadside verges and yet they are not TRO's on these grounds so why are byways?</p>	<p>Section 22 of the Road Traffic Regulation Act 1984 extends the list of purposes for which TROs may be made, to include within an AONB, the purpose of conserving or enhancing the natural beauty of the area. These byways are adjacent to three County Wildlife sites.</p> <p>Vehicles do not usually drive on motorway or tarmac roadside verges but on byways they commonly do if the main track becomes impassable.</p> <p>See Photographic Evidence Appendix 3, photographs 7 and 8.</p>

OBJECTIONS	OFFICERS RESPONSE
STRATEGIC NETWORK	
<p>There are ample footpaths and bridleways in the area for other user groups to use, without the possibility of encountering MPV's. Therefore an alternative option to a MPV TRO would be to exclude all but MPV users from the byways. This would allow all users groups to enjoy the area, by keeping groups apart, without any risk of conflict. Why can this not be implemented?</p> <p>If some selfish people would like to walk somewhere without meeting cars, may I suggest they walk on Bridleways and Footpaths and leave the byways free for those of us that don't mind sharing.</p> <p>Bridleway and footpath access to the countryside is significantly more widespread than road access.</p> <p>There are many more paths in the area where vehicles are not allowed to go and walkers can enjoy a traffic free environment.</p> <p>Other users on foot or horseback would presumably feel much safer if they used the parallel bridleway less than 1km to the west of the byways</p>	<p>The definition of a byway is a carriageway which has occasional vehicular rights, but which is mainly used for the purposes for which footpaths and bridleways are used, i.e. by walkers and horse riders.</p> <p>These byways run to the west of the village and have to be used to access the rights of way network to Collingbourne Wood.</p> <p>There are many county lanes and metalled roads around Chute offering exceptional views.</p>
<p>The TRO will put increased pressure on the remaining vehicular rights of way network. What analysis has been conducted by WCC to identify this issue and its impact of nearby byways? Bear in mind that the introduction of the NERC Act heralded a 2/3 reduction of vehicular rights of way network, now accounting for less than 2% nationally. Perhaps a solution would be to grant permissive access to certain Restricted Byways. This would create a viable network and reduce the pressure on existing routes.</p>	<p>Wiltshire Council rights of way network is made up of 14% byways.</p>
ADMINISTRATION OF THE PROCESS	
<p>What was the point of a preliminary consultation?</p>	<p>The preliminary consultation has proved to be a vital component of this process. Wiltshire County Council was accused by some objectors of deliberately neglecting to consult MPV user groups. This was an error which was immediately rectified. This mistake will not be repeated if a formal consultation is to take place.</p>

OBJECTIONS	OFFICERS RESPONSE
	The Council was asked to look into the possibility of the permanent TRO following the success of the TTRO for increased use of the right of way by pedestrians and equestrians. A preliminary consultation gave the Council an opportunity to gauge positive and negative effects of a TRO.
It is understood that the MPV user groups did not initially receive notice of the informal consultation, why is this?	All comments were welcomed and have been included in this report. All correspondence on this matter has been made available to the Corporate Director.
I was concerned that All Wheel Drive Club was not consulted on this proposal.	The fact that this organisation has objected to the proposal has been included in the report.
GATES	
<p>Can WCC state exactly where legislation or guidance says that such use of gates are legal or proper</p> <p>Gate is a nuisance at common law and illegal under highway law unless dedicated with the highway. Additionally section 9 of the Inclosure Consolidation Act 1801 declares 'it shall be unlawful for any Person or Persons to set up or erect any Gate across any such Carriage Road'. I request that they be removed forthwith in accordance with the long standing County Council policy (currently RoW Improvement Plan 8.3.4 para 6).</p> <p>The visual amenity is currently ruined by a plethora of gates and the user experience is in no way enhanced by stopping to open and close so many gates.</p>	<p>Gates have been installed on the byways to reinforce the TTRO and are legally acceptable whilst the restrictions are in force.</p> <p>Enforcement could include a police presence, but is more likely to include physical barriers to control access by mechanically propelled vehicles. Barriers should be in keeping with the local surroundings and must not exclude users who continue to have a right to use the route, such as horse riders, cyclists, walkers, wheelchair users and residents with private access rights</p>
PRIVATE RIGHTS	
<p>All Wheel Drive Club members use road vehicles and are considerably lighter and less damaging than the lorries and farm traffic which use these lanes. This 'quiet country lane' is an access to what are commercial establishments.</p> <p>Byways 34 and 36 have a hard all-weather surface suitable for vehicular traffic and I understand they are used for business purposes by lorries and cars as well as by recreational users.</p> <p>The high level of private access means that recreational motorcycles will make no comparative impact on the character of the road. Frequency of private access will render any order ineffective.</p>	<p>Agreement by landowners to limit their use of the byways is not enforceable. However the landowners who do possess private vehicular rights over these byways have agreed to adopt the practice of reducing to a necessary minimum their use with vehicles and have pledged to continue with this practice.</p>

OBJECTIONS	OFFICERS RESPONSE
<p>Does the stud farm use Chute 34 for exercising horses and does Chute Estate use Chute 32 for shooting is this behind the TRO?</p> <p>The majority of 4x4 use of chute 34 and Chute 36 is generated by the stud Farm.</p>	<p>Rutherford Stud is a private house with a young family living there. The children have ponies but they do not operate a stud or livery business.</p> <p>Chute Estates is a small shoot that covers a number of local farms. They have consistently been asked to use the byway only as essential access where absolutely necessary.</p>
<p>There are 37 recorded rights of way in Chute Parish, only 3 of which are affected by the TTRO. The notion that local residents 'were walking and riding more often' because the occasional public vehicle was excluded whilst business vehicle use continued unabated is laughable.</p>	<p>This suggestion is corroborated by 97 supporting letters.</p>
ACCESS FOR ALL	
<p>There is also an onus of local authorities to remember the small businesses serving those visiting this area requiring fuel, accommodation, etc.</p>	<p>Chute Parish Council supports this proposed TRO.</p>
<p>As a retired person whose health has not been too good lately, I have in the past and would like to carry on driving up the Byways, park my car and take my dog for a walk.</p> <p>A TRO would prevent trail riders (many of which have no other access due to physical disabilities) from legally enjoying the area.</p> <p>It would be a real shame if people who could not walk long distances could not get out and see all of the wonderful countryside the area has to offer because they could no longer take motorised vehicles.</p> <p>The very fact that this area is a particularly tranquil and remote section of the North Wessex Downs is a powerful argument in favour of maintaining access for all to enjoy. It would be disgraceful to deny access to the elderly, or people with mobility problems, who rely on being driven to and through beautiful areas of the Wiltshire countryside.</p>	<p>There is an opportunity to park at the pub car park at the top of Byway 36 in the village. There is also parking at the bottom of Honey Bottom which has access straight on to the RoW network in Collingbourne Woods or will lead through to Honey Bottom to Chantry Lane.</p> <p>The Disability Discrimination Act 2005 ensures that discrimination law covers all the activities of the public sector, including the management and maintenance of the byway network.</p> <p>Invalid carriages can use a public right of way and would not be excluded by a TRO. See Appendix 7.</p>
<p>The only beneficiaries would be adjoining landowners whose property values would be enhanced and a few selfish individuals.</p>	<p>Non-motorised users would also benefit.</p>
<p>I like driving on byways as I can see more in a day travelling at 10-15mph than walking at 3-4mph.</p>	
<p>MPV user groups have no issue at all with sharing their access with other user groups.</p>	
<p>I often use my trial bike at horse events riding it with, amongst and between horses as an event marshal. I have never had a horse react adversely.</p>	<p>Reports are that the majority of MPV users are not members of the responsible organisations and do not abide by a code of conduct.</p>

