

Consultation on the Government's response to the Landscapes Review

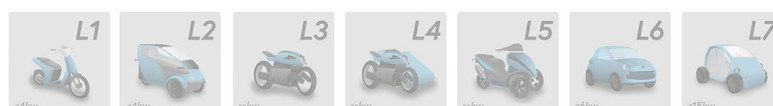
MCIA submission, April 2022

About MCIA

1. The Motorcycle Industry Association (MCIA) represents over 90% of the supply side, including the manufacturers and importers of powered two wheelers (PTWs) and other [L-Category vehicles](#), accessory and component suppliers and companies providing associated services.
2. Our members registered over 10,000 new off-road motorcycles in 2021 which would be used on private land and at organised events. This is in addition to the large number of road registered vehicles that would be suitable for green lane riding.
3. The L-Category regulatory framework is subdivided into seven groups, each defined by power output, number of wheels, seating layout and weight.

The benefits of off-road motorcycling

4. PTWs do not just have a role to play in the future of our urban and sub-urban transport systems as an affordable and cleaner form of personal mobility, but in the enjoyment of the countryside, exploring green lanes and taking part in organised off-road riding events too.
5. Motorcyclists are just one group of users who enjoy access to the countryside. As a sector we are supportive of the Government's aim to preserve the network of green lanes, but not at the expense of off-road motorcycle use.
6. As demonstrated in our recent publication, [The Journey to a Brighter Destination](#), there are many advantages to recreational motorcycling, including benefits to both physical and mental health. For example, a study commissioned by the Trail Riders Fellowship (TRF) found that 70% of all green road rides met the Government recommended guidelines for moderate exercise, with many rides coming into the 'vigorous' exercise category.
7. Motorcyclists who enjoy off-road riding get maximum benefit from nature, are at one with their surroundings, breathe the air and live the sights. Driving on green lanes is also one way that people with mobility problems can access the health and well-being benefits of visiting the countryside.
8. Recreational motorcycling also contributes more than £130 million to local and rural economies and generates spending on camp sites, B&Bs, pubs, hotels, local shops, and local filling stations. For example, TRF found that a typical 4x4 weekend tour for 4 vehicles and 7 people would entail expenditure of around £2,500 in these sectors.
9. The vast majority of motoring organisations act responsibly when it comes to green lane access by helping to keep green roads open and in good condition by maintaining them with a volunteer workforce, contribute volunteers and other resources to help authorities



preserve and maintain green lanes, help the police with enforcement against illegal and irresponsible use and help waymark the network (sometimes for all users).

Government proposals

10. A total ban on green lane access for these vehicles, which is what the Government proposals suggest, would mean this assistance inevitably ceasing to exist. In addition, so would the opportunities to contribute to two of the Glover Review proposals: expanding volunteering and improving information and signage. Motorcyclists are already restricted given that riders are only permitted to use approximately 2% of unsealed roads. Further restrictions would be wholly unfair on riders who want to enjoy the countryside along with other users.
11. A total ban would also be at odds with Government policy on diversity and equality and unfair to the minority of people that use their vehicle on unsurfaced roads. The biggest impact would be felt by those who cannot access more than a fraction of the footpath, cycle path, or bridleway networks because of a disability.
12. As such, MCIA does not believe National Park Authorities, the Broads Authority and local highway authorities should be given additional powers to restrict recreational motor vehicle use on unsealed routes. The necessary powers already exist to effectively manage recreational motor vehicle use on unsealed routes. For example, National Park Authorities already have the power to make Traffic Regulation Orders (TROs) on unsealed routes within National Parks, provided for by section 22BB of the Road Traffic Regulation Act 1984.
13. Furthermore, an evidence base that supports a ban does not exist. Currently, there are only examples of particular problems in certain locations. An independent survey commissioned by DEFRA immediately before the 2006 Natural Environment and Rural Communities (NERC) Act (the Faber Maunsell Report) showed for the vast majority of byways open to all traffic (BOAT) there were no significant problems, but there were a few hotspots where there were issues that needed to be tackled. More recent surveys indicate this has not changed.
14. A blanket ban cannot be justified without a credible evidence base. If a blanket ban was imposed, the extent to which this would deter irresponsible riding is questionable. In many cases, illegal and irresponsible use increases in the absence of responsible users.
15. Current approaches to enabling public access for those with disabilities tend to be limited to providing better surfaces, wheelchair accessible gates or using expensive motorised buggies. The latter are not suitable for, or financially accessible to, the majority of disabled users and are not physically able to access the majority of the rights of way network. This does not address the wider needs of disabled users, beyond those with particular physical challenges, nor does it allow them equal opportunity to visit the deeper countryside, as is the case with motorised off-road vehicles.
16. In terms of public highways, walkers have access to the whole network, but the Government's proposal is to deny access to a minority who can only use less than 3% of that network. Preventing motor vehicle access to unsurfaced roads would be an extreme solution that would impose the views and preferences of one faction on another, to whom it would deny access.

17. The Glover Review report says that: “our national landscapes should be alive for people and places where everyone is actively welcomed in” and that: “as even rural roads become busier and more dangerous, it is all the more important that fair access is given to all”. Further, in its delivery plan for *National Parks as Landscapes for Everyone*, National Parks England say that “everyone should be able to discover and engage with protected landscapes to benefit the health and wellbeing of the whole nation”.
18. A blanket ban on motor vehicle use would curtail the rights of all motorists because of the poor behaviour of a minority. Applying exactly the same principle to visitors to the countryside on foot during May/June 2020 when lockdown was lifted (many areas inside and outside protected landscapes experienced: fly camping, lighting fires, trespassing, damaging property, littering, drug dealing), would entail the wholesale closure of footpaths.
19. Similarly, motorways and trunk roads are used to facilitate organised crime and are used for speeding, driving while drunk and drugged, intimidating behaviour, driving without tax and insurance, fly-tipping, littering, and many other unacceptable behaviours. The closure of trunk roads because of a minority of people using them irresponsibly would never be considered despite such offences being as serious, if not more so, than those committed on unsurfaced roads.

Safety and Noise

20. Green lanes offer motorcyclists a safer environment to ride. There is less traffic, eliminating much of the risk that they face on the public roads as a vulnerable road user as part of the traffic mix.
21. It should also be noted that some motorcycle training schools use green lanes as part of their training on loose surface riding. This skill is entirely comparable to road situations but allows for this to be taught in a safer environment. It would be detrimental to rider safety if access to this practice was curtailed.
22. While noise complaints have been an issue in the past, the market is changing gradually, and electric off-road products are now available. This can eliminate noise concerns.
23. As with everything there will be a minority of users that flout the rules. We agree that something needs to be done about this, however, it would be unfair for this minority group to be punished based on the very few that use the green lanes inappropriately.

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