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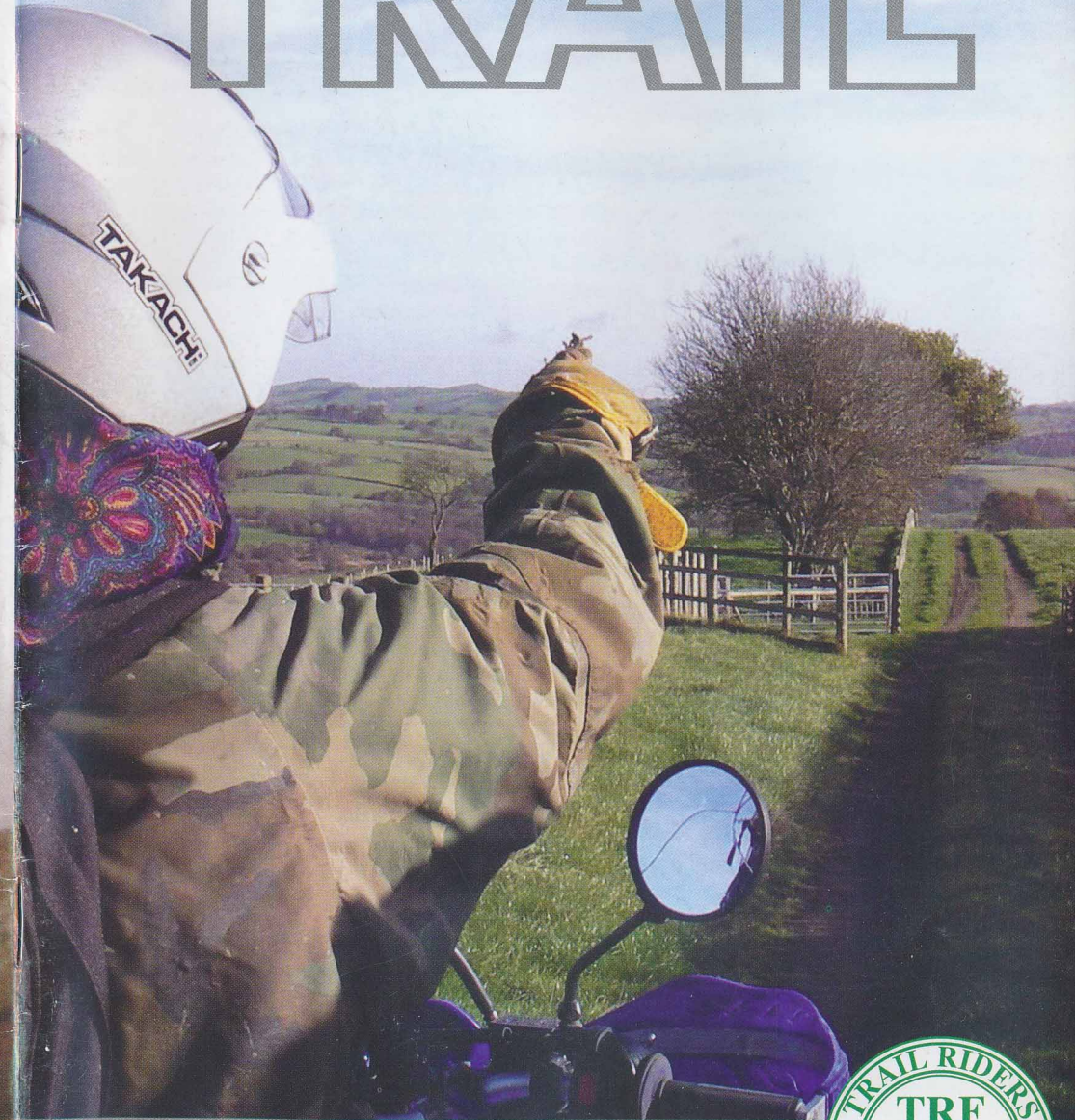
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# TRAIL



The magazine of the TRF, the National Club for all who wish to ride Legal Motorcycles on Legal Carriageways

JUNE 2008 No. 358 EDITOR: FRED ELLISON



Patron: Lord Fairfax

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	<b>Fred Ellison</b>	Letterheads & Compliments Slips
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The views expressed in 'Trail' are those of its correspondents and not necessarily of the Editor or the T.R.F.

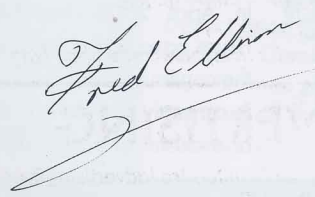
## EDITOR

### TRAIL RIDING IS CHANGING

**Turn to page 2 and read the LARA (Land Access & Recreation Association) conference flyer.**

The TRF, as most of you know, is a long standing member and a major financial contributor to this well respected umbrella organisation for the motoring organisations, both two wheeled and 4x4.

There are of course many 'experts' looking into the problem but your one good or brilliant idea could 'make the difference' so please respond to Simon Bingham, email is quicker. Simon's details are under PR & Comms opposite.



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### WANTED:

- Product Reviews • Bike Tests
- Long Term Reviews • Cover Pictures

**COVER PHOTO:** From John Mills.  
'That Way', North Wales.

All contributions to THE EDITOR  
Fred Ellison, Sheepcote Farm  
Moor Lane, Wiswell, Clitheroe  
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# LARA SEMINAR FLYER

**To all Members: Please read and respond. Your views are needed.**

## WAY FORWARD FOR MOTORISED VEHICLES IN THE COUNTRYSIDE (LARA SEMINAR)

Can all members please read the LARA SEMINAR FLYER (below) and return your comments, views and feelings to Simon Bingham, TRF PR Officer as soon as possible.

This is a chance for everybody to have their say and relay their views as to where the TRF should go in respect to Trail Riding and Access to the Countryside for motor vehicles.

**What do you think the TRF should be doing? What do you think LARA should be doing? What do you think will make a difference to saving Trail Riding?**

Noise, Clothing, Bikes, Tyres, Group Sizes, Localities, Avoiding Certain Areas, Different Rules, Campaigning, Other Ideas that would make a difference.

Please take a few minutes to respond to Simon by email at [pr+comms@trf.org.uk](mailto:pr+comms@trf.org.uk).

Please take it to your group meeting for discussion and let us know your Groups views.

**THIS REALLY IS IMPORTANT!  
PLEASE RESPOND!**

## Where Now for Recreational Motoring in the Countryside?

A One-Day Conference to Seek a Way Ahead

*Advance Notice: Date and Place to be confirmed*

LARA's Members have accepted as a starting point the proposition: 'the status quo is no longer defensible – how can we adapt in order to survive?'



Recreational (non-competitive) use of mechanically propelled vehicles has been under pressure for many years now, and the introduction of the Natural Environment and Rural Communities Act 2006 has not 'drawn a line' to stop that pressure – if anything, the 'attack' on trail riding and driving has increased since NERCA – certainly in the National Parks.

In April 2008, two NERCA-related issues have had a serious impact upon the continuation of 'trail motoring' as it is currently carried out: the imposition of a cluster of traffic regulation orders

Find more information about current issues and contact LARA via our web pages at [laragb.org](http://laragb.org)

### LARA NEWS

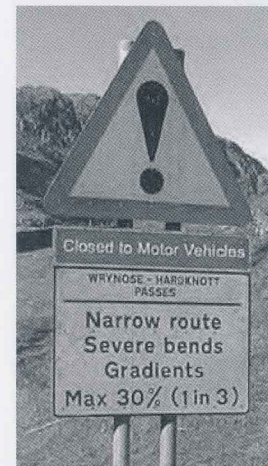
No. 43, 2 June 2008, page 1/2

MOTORING ORGANISATIONS  
**LARA**  
LAND ACCESS & RECREATION ASSOCIATION

Is there an answer? Do we need a better 'PR machine'? Should we be taking national and local government to the courts – and if so, where will the money come from? Or should we be changing ourselves so that people stop wanting to ban us from the countryside? Have you got the answers?

in the Yorkshire Dales National Park, and the Court of Appeal decision in the 'Winchester College' case. At its meeting on 29 April, the LARA Steering Committee discussed the current and future situations, and noted that there is a wide range of opinion within recreational motoring as to 'what can be done, should be done, and how' in order to retain access to the network of BOATs and minor unclassified roads in the face of relentless, and well-funded, attack.

LARA is calling a one-day meeting specifically to address this issue. The purpose of the conference is to collect and distil current,



*It is not just about 'trail riding' and 'off roading'. It is a very small step onwards to banning motor vehicles from classic routes like the Wrynose Pass. You think that cannot happen? A spokesman for the Friends of the Lake District once said on BBC Radio Cumbria that the 'tarmac should be stripped off these ancient routes.'*

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### LARA NEWS

No. 43, 2 June 2008, page 1/2

MOTORING ORGANISATIONS  
**LARA**  
LAND ACCESS & RECREATION ASSOCIATION



*What is a 'Quiet Lane'?  
Is it a friend or a foe?*

forward, and radical thinking into a 'way forward' paper that will inform and drive policy for LARA and its Member Organisations.

The seminar is open to all LARA Member Organisations, and each Organisation can send up to three delegates. The main regional groupings (e.g. Peak, Lakes, and Dales) can also send one person each. LARA Regional Officers are invited, as are the specialist press and other motoring organisations whose

members are affected by the recent changes and the future threats. LARA will invite experts from outside the motor recreation community, where it is felt that they have a valuable contribution to make.

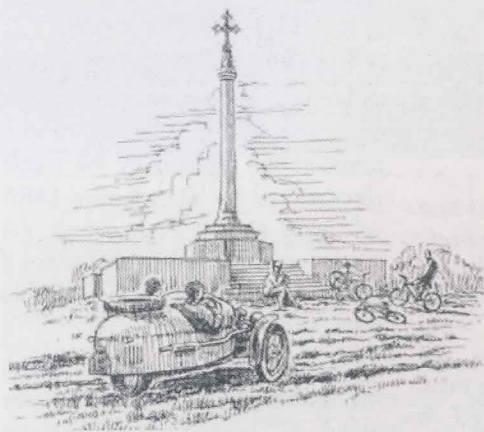
All participants who wish to speak (other than in the Q&A sessions) are asked to submit in advance a conference paper (in RTF file format) setting out their view on 'where we are now, and what we can and must do, now and in the future.' All participants can speak to a summary of their paper, to a maximum time of

five minutes each. After that, discussion will be to an agenda setting out particular matters within the overall topic. LARA will produce a conference pack and will gather, distil and report on participants' papers in the 'way forward' conference report. Papers must be submitted before the event, with the conference pack to be issued by e-mail (you will need broadband). There will be a charge per person to cover room hire (if necessary for the numbers) and refreshments.

If you would like to participate then please register an interest as soon as possible at: laragb@mac.com.



*Have you ever been along the Arncliffe Cote UCR, in the Yorkshire Dales National Park? Well, it is too late if you have not: You cannot drive it anymore after 3 June 2008, when a 'no motors' traffic regulation order comes into force.*



*Classic touring on The Ridgeway, near Wantage. Not anymore: the Natural Environment and Rural Communities Act 2006 has closed this delightful and robust stretch to law-abiding motorists.*

*Darth Vader on a motorbike? How can the public and politicians be persuaded that modern, enduro-type bikes, tyres and clothing are 'acceptable' on soft and sometimes vulnerable routes?*

Find more information about current issues and contact LARA via our web pages at laragb.org

**LARA NEWS**

No. 43, 2 June 2008, page 1/2



# Teesside & North Yorks FUN WEEKEND

**Saturday 2nd & Sunday 3rd August 2008**

Wood House Farm, Little Ayton, Great Ayton, North Yorkshire

Rides out Saturday and Sunday or you are welcome to just use the enduro course that will be set out. Camping from Friday night. Please bring own refreshments.  
*All the family welcome.*

**TRF Members £10.00 Non Members one day only £15.00**

For more details contact Phil on 01287 634972.

## FORTHCOMING EVENTS

**28th and 29th June:** Big trailie rideout for riders with bikes over 600cc in Mid Wales. Saturday's ride in an area near Aberystwyth and suitable for novice riders - meeting late to allow travelling in the morning - start time 11.30am. Sunday's ride meeting near Machynlleth at 9.30am, more challenging route.

**Date tba:** Sidecar trail riding, LDT and enduro sidecars welcome. Day 1 in Aberystwyth area and Day 2 further south to include Strata Florida.

*A small fee will be charged. As lunch will be booked at a cafe or pub, you will be required to pay in advance: £15 for one day's ride or £25 for both days.*

Contact Marianne, 01686 430522

## TRF EVENTS

**20th, 21st, 22nd June:**

Bikes, Bevvies and Banter 2, Northumberland. Contact Neil Pattison, 01434 683905.

**26th July:** Southern Group Fun Day, Lopcombe Corner. Contact Lee 023 80 611110.

**3rd August:** TRF Executive Meeting, further details to follow.

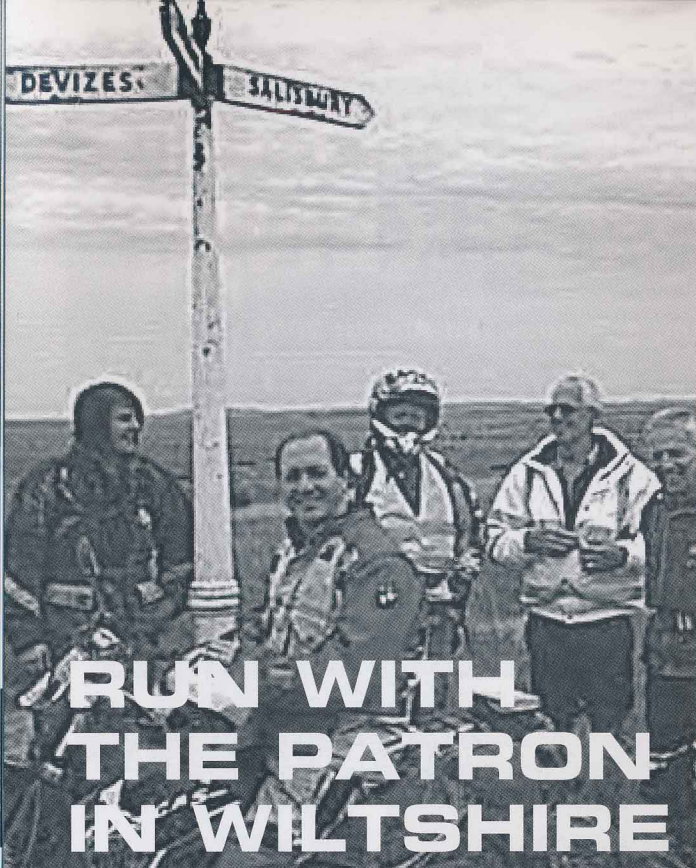
## BMF NEWS

**21 - 22 June 2008: BMF South West Bike Show**  
Bath & West Showground, Shepton Mallet.

**12 - 13 July 2008: Kelso Bikefest**  
Springwood Park, Kelso, Scotland. No TRF stand because its held in Scotland.

**20 - 21 September 2008: Tail End**  
East of England Showground, Peterborough. Last booking date for stands 25th July 2008.

Polly Cody, TRF Hon Secretary



## RUN WITH THE PATRON IN WILTSHIRE

being particularly difficult when wet.

Unfortunately mid-morning Nick and the DRZ parted company in one of those awful ruts, Nick falling heavily on his hip and as well as being hurt he was quite shaken up. Nevertheless after a few minutes recuperation we were off again, but this time Nick was riding my Pampera which he found a lot lighter and easier.

The day, which was blessed with glorious weather, finished about 5pm with Nick saying he had had a good day - but was a bit sore! When queried he replied that he was not going to resign as our Patron after his experience! I spoke to him Sunday evening and he said that the pain was easing and he was hopeful of a full recovery - phew!

Thanks very much Sir, for coming out with us and we promise that if you have another ride with us, we will be more gentle with you next time!

The next day, Sunday, David came to our B & B to take Des and myself out for the day, but unfortunately during the morning Des caught something with his leg and opened up an old war wound. (Which war was it Des? Perhaps it was a recurrence of your trench foot!)

This brought the Sunday run to a premature end as, although Des could still ride after some patching up by some 4 X 4 drivers who happened by, we thought it prudent to get him to hospital for some professional attention.

Over the years I have said that trail riding is not dangerous - but have now had to have a rethink.

Several years ago when riding on a horse event with Jackie German from the

Gloucestershire Group, she managed to break her foot big time. Then my pal Jeff Hewitt and his nephew Jonathan were both hurt when I was leading an evening run, putting Jeff in hospital for a long time. Also when we took our previous Patron, the late Lord David Strathcarron out for the day he had to ride back to London with a broken foot! And now I manage to injure both our new Patron and Des in one weekend. The moral of this story is that if you value life and limb - don't ride with me!

My mate Jeff is now riding again after a couple of years off, as is Jackie German and Des is now back to his former confident and competent riding style just a few months after a hip replacement - and he is 72! You can't keep good riders and enthusiasts down.

Thanks very much to David Flippance and the Wilts Group. This is what the TRF is all about - camaraderie and having good fun on our bikes. May we all keep going as long as Des!

Tony Stuart, Cornwall Group

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Following a meeting with Kathryn Beardmore and myself the following details re TROs have been checked for accuracy by YDNP following complaints that we have misrepresented the number of TROs. I am pleased to do so. It is a very confusing picture with a mixture of present and past TROs plus those closed by NERC.

On 17th April YDNP agreed to close 8 green lanes, three of which are already closed. So that's 5 "new" TROs. The eight are: Arncliffe Cote, Harber Scar Lane, Stockdale Lane, Gorbeck Road, Foxup Road, (the 5 new) and Highway Cam High Road and Ling Gill from Horton in Ribblesdale to Cam High Road (the 3 already closed). Two are Byways, the rest are unresolved TRF Byway claims. The effective date is June 3rd.

Please note on High Way the Shaw Paddock Byway from 785953 to Hell Gill Bridge and continuing into Cumbria as another Byway is NOT subject to a TRO. This makes a grand ride into Kirkby Stephen long enjoyed by generations of trail riders.

The YDNP are now consulting on 5 more permanent TROs of which two are new. The other three replace temporary TROs on Mastiles Lane, Long Lane (Clapham) and Horsehead Pass (Raisgill to Halton Gyll) which date back to 2004. The two new ones on which YDNP will now consult with a wide range of bodies to seek their views are:

1. Carlton to Middleham High Moor (UCR) first TRO in the eastern Dales from 064847 north to 068868.
2. Barth Bridge in Dentedale to

Garsdale Foot in Garsdale (UCR from 693887 to 698911)

The effective date is as yet unknown but I guess late summer.

The total number of NEW TROs is therefore eight. Plus a possible 5 more (of which 2 are new). This means a grand total of 13. It could be worse.

Contrary to earlier reports in TRAIL and the press, the excellent Roman Road from Bainbridge south west to grid 925895 on Cam Fell on the Hawes road is NOT to be closed. YDNP have asked me to make this clear. At 7 miles long this is one of the best Byways in the Yorkshire Dales. Take good care of it. Stop and give way to horses as you should always do. The other long Byways in this area around Semer Water (the only lake in the Dales) are Stalling Busk and Stake Moss running over to B6160 near Buckden.

There are NO plans to close these three long and valuable Byways.

YDNP wish to point out that they are not making TROs where motor vehicles use if a route (i.e. Byway or UCR) can be managed without a TRO. YDNP also say that where routes have had motor vehicle rights extinguished by NERC ie bridleway or dual status routes, TROs are unlikely to be used as the police will take enforcement action against illegal use on these routes where necessary.

The national park also stress that some trail riders are mistaken in thinking that police are not interested in enforcing the law on green lanes within the Park. Local police continue to work closely with the national park authority. This

applies to NERC and TRO closed green lanes. I thanked Ms Beardmore for some sympathy when TRAIL editor Fred Ellison and 5 other TRF members pleaded not guilty and were taken to Settle Police Station. With the TRF standing firm and the police uncertain, this saved the riders a £30 fine. With only a few weeks left before the June 3rd deadline for TROs it wasn't worth a court battle.

YDNP also made it clear that it is NOT YDNP policy to ban trail riding in the Yorkshire Dales National Park. I estimated that the combination of NERC and TRO closures will mean a 50% loss of green lanes since May 2006. That's about 50 miles in total.

YDNP also admitted that the closures would hit Craven (western Dales region) particularly hard. Not one green lane will exit west from Ribblesdale, Garsdale and Widdale valleys. Not one green lane will run west from Wharfedale via Malham into Settle.

The PRIMARY reason for the TROs, said Ms Beardmore, is the effect trail bikes have on the amenity of the area, particularly noise. Some bikes are quiet but too many are not.

Needless to say noise is something of an own goal in my personal opinion and is an old problem that is never dealt with. I myself have seen trail bikes in the Dales fitted with after market cans with the baffles removed making quite a racket. Who will join me in calling for a ban on such cans before we lose more green lanes to the noise problem? There is no excuse whatsoever for having a noisy trail bike in 2008 in a national park.

Trail riders are angry and resentful about green lane closures in the Dales, but it's time we asked ourselves an honest question? Why does everybody seem to be against us and what can we do about it?

Brian Thompson  
Northern RoW Advisor

## RATIONE TENURAE & CLAUSURAE

What on earth do these Latin tags mean? Such phrases can easily daunt a rights of way worker but they need not do so. Rights of Way held *ratione tenurae* or *ratione clausurae* are public rights of way, but they are not publicly maintainable. Instead they are maintained by the landowner. *Ratione tenurae* means the obligation to repair is placed on the freehold owner as an inherent part of his title to the land. When the land is split amongst several owners, the obligation falls on all owners, so that any one of them can be required to carry out the repairs. In theory the liability arose at the time the freehold was originally granted, which in law must be prior to 1290, or arising from a subsequent direct grant of the lands from the Crown. In practice, it is proven by showing the landowner has in fact maintained the right of way for many years, giving rise to a presumption of the liability to maintain - which of course can be rebutted by evidence.

### SIMPLER

Liability *ratione clausurae* is far simpler. It is an obligation to maintain a rights of way imposed on an owner at the time he encloses land for the first time, as a quid pro quo for thereby restricting the ability to deviate if the way is out of repair. It does not apply only to Inclosure Act cases, but can arise in the case of any modern fencing of a field, unless done with the consent of the highway authority. Equally, removing the inclosure removes the obligation. Unlike *ratione tenurae*, the liability here vests in the occupier, not the owner of the land.

These rarely cause problems for definitive map paths as most *ratione tenurae* or *ratione clausurae* paths are carriageways.

Brian Thompson  
Issue October 1991  
of Byway & Bridleway Magazine



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Please contact Doug Richardson (Exmoor TRF member)

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**HIGHWAY SNOBBERY!**

'My' lane is three miles long, tree lined from start to finish, half mud, half hard packed, five metres wide, shrinking to three metres wide. Footpaths entering on your right, bridleways entering on your left. I love it, it's three miles from my house, I have it ridden on my daily commute and rarely do I meet anyone on it.

A few years back, a public enquiry on its status threw us all into the tiny town hall. The good (TRF), the bad (careful now) and the ugly (one irate farmer) turned up. Everyone had their say, some wanted to say more thinking that this will change the evidence laid out on the table. Step up the well heeled and aggressive farmer, his village flock falls silent, for he is about to unleash his furious anger upon us (apologies for the Pulp Fiction quote).

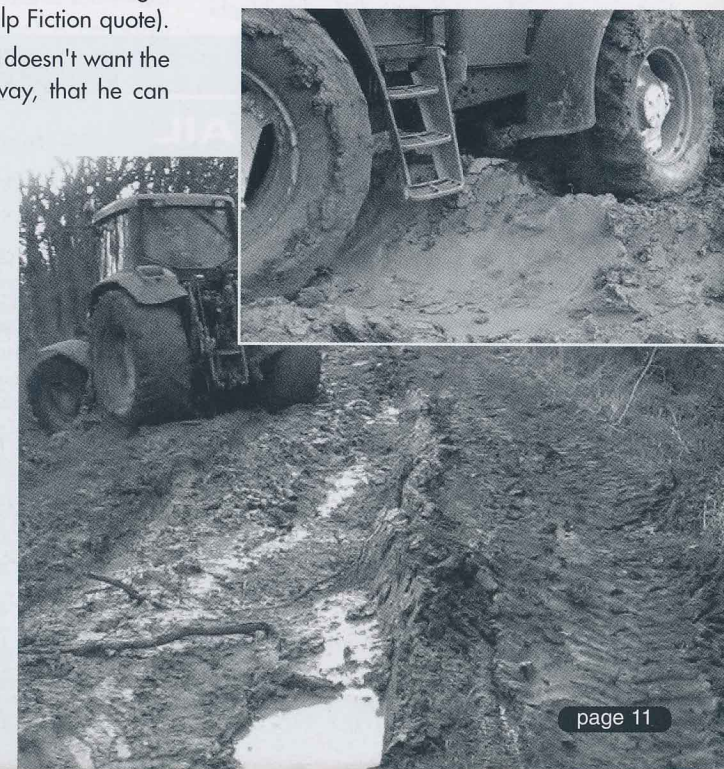
We all heard him say that he doesn't want the Bridleway changed to a Byway, that he can foresee vehicles using his fields to bypass the muddy carnage that will result from this status change. Letters in the local paper warned of dumped cars and of it becoming a 'racetrack'.

Imagine my surprise, not long after the inquiry (which we won by the way), when I rode the lane home from work to find a pick-up truck, four blokes in the flat bed, wheel spinning deep grooves into the lane. As I trickled into view the spinning stopped but I had seen enough.

Unbelievably, I didn't get the numberplate details, but made a hasty detour round them and made good my escape.

The next morning, with my ACU approved Sherlock hat on, I rode the lane again. The only tyre marks were mine at either entrance to this lane but there was one set of tyre marks coming out of a field and this leads to one place only...THE FARM! I made my observations known to the councils ROW officer and he let slip that this was consistent with his own findings.

Fast-forward a few years to the present day. I ride this lane once every couple of weeks, less if there has been wet weather, well, I wouldn't



want to be blamed for 'damaging' it! On this particular morning, 06:52 to be precise, I saw a scene that we TRF'ers only dream about. I had just passed the 'farm' entrance to find huge tyre marks, deep and wide, those that can only be made by a monster truck...or an all-wheel-drive John Deere tractor to be precise.

I hadn't received a bang on the head, but there before me, stood TWO John Deere tractors, one stuck half way down a drainage ditch and the other stuck on the opposite bank. Their tyres, huge as they were, had got completely clogged as to resemble slicks. There it was in front of me and they were obviously abandoned from the previous night's frivolities.

I took many photos, determined to not let this scene go unseen. Recreational users of these lanes get the blame for the damage. It is with photos like this showing a two-foot high ramp of mud (and numberplates this time) caused by

the constant wheel spinning of an all wheel drive agricultural vehicle that, for once, the finger of blame can be pointed in the right direction.

I reported my findings to the council that morning, to find an officer was going down that lane to investigate a report of fly tipping. The lady assured me the officer would now be advised to walk the extra mile to see for himself this new incident first hand.

A week had passed but still no call at work or email, so I rang again. With promises that she'll contact the relevant people and I will get a call within two hours...20 minutes the phone rang. I had obviously got through to the right people. "It costs thousands to repair a Byway but only the action of a few to ruin it again. You have photos? Send me them please, we'll really like to see them".

To be continued...

Glenn Vieira

# Byway and Bridleway Extra

bbtrust.org.uk Issue Date: 3.6. 2008 1/1

## Then and Now

*Alan Kind writes:*

The photograph to the right is from a booklet published by the *National Benzole* fuel company, circa 1935. It shows the Roman milestone at Chesterholm, just east of the Vindolanda excavated fort site, south of the Roman Wall in Northumberland. None of the photographs in the two-booklet series are credited, so it is likely that they were taken for the publications. The road is still stoned, rather than blacktopped.

The second photograph (below) is the same site in 2008. The perspective seems somewhat different, but the 1935(ish) shot is probably pre-35mm camera (for this sort of purpose) and the 2008 one is taken on a pocket digital on the wide-angle setting, and then cropped to match.

The most striking difference is in the number of apparently self-seeded trees and bushes on the



road margins. The Scots pines in the 1935 picture are still there - the same trees, still identifiable. Why the change? Surely it is that in 1935 a council lengthsman kept self-seeded growth down and the ditches clear?

The road running down to the right (west) past Vindolanda now has a 'no motors' prohibition, which seems quite unreasonable, when a peak times order, or even a one-way flow, would manage visitors to Vindolanda very well.

Speaking of Vindolanda, the road is now part of a waymarked Sustrans route, and on a rather cold spring Sunday was quite busy with passing cyclists and walkers. Could these travellers enjoy the café in the nearly deserted visitor centre? No they could not - unless they paid about £6 a head entrance money. Now, there's *real* tourism business sense in action ...



## COPY FOR TRAIL

### COPY DEADLINE:

The first Tuesday of the month.

### COPY:

Via email, typed or handwritten (please try to make it legible!)

### PHOTOS:

Digital via email on CD or DVD; scanned originals (high resolution 300dpi jpeg or tiff); or posted originals (please include an s.a.e for return). We prefer you not to include your photos in 'Word' documents, if possible please send images separately. If sending possible front cover images please do not send camera phone photos.

### CAPTIONS:

Please caption your photos!

### EMAILING:

It is best not to place too many images on one email document.

### WORRIED ABOUT YOUR SPELLING? DON'T HAVE A COMPUTER?

**Don't let this put you off, send it in and we'll sort it out.**

Photographs submitted for publication may also be used for other TRF purposes.





# Obstructions

The TRF need to start pressing local authorities for a little action to help safeguard the routes we have left open to us. Just like the alleged conflict and surface damage, obstructions impact on us, just as much as other users, so this paper is an attempt to make you more aware of what constitutes an obstruction; how to report it; to whom it might be reported and how to follow up such reports

This paper focuses on the topic of obstruction of the highway, both man made and natural, and what we can do about them. There are other issues that inhibit our progress. The most obvious is surface condition, but this is one big topic and one that will require an advice note of its own. Illegal and misleading notices are a much smaller issue and have been included in this advice, along with other hindrances to passage.

Sect. 9. No person shall lay in any highway any stone, timber, straw, dung, or other matter; and no person making or cleansing such ditches or watercourses, shall permit soil, &c., dug thereout, to remain in such highway, so as to obstruct or prejudice the same, for the space of five days, on forfeiture of 10s. for every offence.

Sec. 10. If any stone, hay, straw, or other matter for the making of manure, or any other pretence not tolerated by the act, shall be laid in any highway within the distance of 15 feet from the centre thereof, and shall not, within five days after notice given by the surveyor, or person aggrieved, be removed, the owner or possessor of the lands adjacent, or any other person, may clear the highways thereof, and take and dispose of the same to his own use.

Highways Act 1773

To assist us, we have statute and common law on our side. Statutes, we are all aware of, but we may not be familiar with the term 'Common Law'. Over the years many cases are brought to court on many different subjects. The courts look at the issues and the related statutes and come to a Judgment. This Judgement may place an interpretation on a statute that is not what was hitherto taken as its meaning, or it may address an issue that the statute is silent on and provide an answer in a given set of circumstances. This slow evolution of the law gives us common law. Some 'Common Law' is so old that has become, what is termed as a legal maxim. Such expressions as 'Once a Highway, Always a Highway' fall into this category.

Unfortunately, there is no escaping the need to read some law, as this will help us define what an obstruction is; what we can do about it and who we should turn to for a remedy. So, let us start with an easy one.

*"anything substantially prevents free access over the whole carriageway is an unlawful obstruction"*

*Seekings v Clarke - 1961 [bb p169]*

Note the term 'the whole of the carriageway'. This is taken to mean all the land between bounding features, thus, old rusting farm machinery; a hay rick; a post in the middle of the

lane; fallen tree; barn, etc., may not prevent passage of a motorcycle or cyclist but they are still illegal obstructions. Other apparent obstructions, such as a gate or an excavation, may be authorised, although that is unlikely on a BOAT. Gates can be authorised (under s.147 of the Highways Act 1980) on a footpath or bridleway, where land is brought into agricultural use, for the control of stock. They may be legal on a BOAT where there has traditionally been a gate and that 'restriction' is recorded in the definitive statement. If it is not in the statement, it is illegal.

Then there are two different kinds of obstruction – the natural and the deliberate. Before we delve further into this subject there is one thing that all users should hold firmly in their minds. It is the DUTY of the highway authority to preserve and protect

our rights of passage and it is to that authority you should report any obstruction, even if you can pass around it. If we do not have that full access we can expect the fact to be used against us one day in the future by a landowner who wants to close the route. It will be claimed that the route was not 'open to the public at large', and that no one complained, and so the way is no longer necessary. Bye, bye byway. Always report an obstruction and always follow it up if the authority do not act promptly.

Extract from the Highways Act 1980:

130.--(1) It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any high-way for which they are the highway authority, including any roadside waste which forms part of it.

The important word in s.130 is DUTY. A duty cannot be prioritised and there are no excuses for not carrying it out. It must happen, and it must happen before a power is exercised. For example, an authority may have a power to divert a highway or to impose traffic management but these are only options. Repair and removal of obstructions is something that must happen before management options are used. It is unfortunate that some authorities will often use a power to prevent use of a way rather than repair and make good for all users.

*"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, of 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."*

*Lane LJ in R-v-Surrey CC ex parte Send Parish Council*

**This image shows a Byway Open to All Traffic. The first thing we spot is the locked gate. OK, we can ride around the post on the right, but that lane is still illegally obstructed. There is a second obstruction in this shot, and that is the beech hedge on the right. This hedge reduces that the width of the lane by around three metres, where it extends the garden to the house behind it. This theft of highway land is known as purpresture and should be reported to the highway authority, in the same way as any other obstruction.**





Where we find our way completely obstructed, Common law has it that we have the right to remove sufficient of any obstruction in order to continue our journey. We may also pass onto adjoining land if it is not possible to abate sufficient of the obstruction to continue. (This caused serious problems for farmers in the 18th and 19th centuries, and they were compensated for the damage done by travellers moving away from the rutted and founderous roads, onto adjacent farm land.) As the law stands, our passage is paramount, and has been for many hundreds of years. If the obstruction is a fallen tree and you can remove sufficient to pass, then do so, but if not, you are

**This is a Byway Open to All Traffic. The bridle gate was installed by the local authority, a fact proudly announced by the small notice on the gate post.**

entitled to make your way around the obstruction by the shortest route. If, however, the way is deliberately obstructed (locked gate, up-turned harrow, &c) it is clear that someone does not welcome your presence. In such circumstances it is advisable to pick another route, reporting the obstruction at the earliest date. A photograph of the obstruction and an accurate grid reference will help all concerned. Bear in mind also that erecting a gate across a highway, even if it is not locked or fastened, is a public nuisance at common law. (James v Haywood 1630)

*"in the case of an ordinary highway running between fences, although it may be of varying and unequal width, the right of passage or way prima facie, and unless there be evidence to the contrary, extends to the whole space between the fences, and the public are entitled to the entire of it as a highway, and are not confined to the part which may be metalled. All the ground that is between the fences is presumably dedicated as a highway unless the nature of the ground or other circumstances rebut that presumption.... It is an established maxim that 'once a highway, always a highway'. The public cannot release their rights. Mere disuse of a highway cannot deprive the public of their rights. Where there has once been a highway no length of time during which it may not have been used will preclude the public from resuming the exercise of the right to use it if and when they think proper. Even if the highway authority had actually consented to any obstruction or encroachment upon the strip being part of the highway, such consent could not legalise that which was otherwise illegal."....*

Harvey v. Truro Rural Council (1903) 2 Ch.638 by Joyce J.

What if the obstruction has been there for years? Does that legitimise the situation? The simple answer is no. The law states that we cannot gain from an illegal act. If the way is recorded on the Definitive Map or the List of Streets it is a public highway and therefore it is illegal to obstruct it. There should be no hay-ricks, silage clamps, sheds, or crops on a public highway. There should be no fences or ditches across the highway. I think that most of us are able to use discretion as to what is temporary and part of farming work (although still illegal) and what is a deliberate obstruction.

"anything substantially prevents free access over the whole carriage way is an unlawful obstruction"

Seekings v Clarke - 1961 [bb p169]

*"The case of Gully V Smith (1883) makes it perfectly clear that there can be a wilful obstructing of free passage by an act of omission as well as an act of commission and where, as here, a notice has been given of requiring the obstruction to be removed then failure to comply with that notice is evidence of a wilful obstruction... for my part I am quite satisfied that a wilful obstruction of this sort is a continuing offence and certainly occurs whenever there is failure to comply with a notice."*

Lord Chief Justice Parker : Abel v. Stone (1969)

The included quotes are included to illustrate that the law is on the side of the user. These extracts should be noted and stored away for the day when your authority writes that 'silly' letter to you as the complainant, stating why they are not prepared to assert your right over a highway. If you can retrieve these sheets of paper you will be well equipped to respond.



**After many years of silly reasons why the law should not be enforced, the local authority finally had this old road reinstated. No doubt the TRF were branded as hooligans for riding through crops, but eventually ALL users had the use of this route returned to them.**

A couple of words of caution. Before abating an obstruction make certain you are on the correct route. And do not leave the remains of the obstruction in such a state as to be a danger to other users. And, some obstructions, although illegal, have been put in place for a good reason, if you come across a barrier that is clearly designed to keep out new age travellers, it may well be better to 'bite your lip'...

You would be well advised not to go 'tooled up' to deal with a specific obstruction, as that might not be seen as 'exercising a public right'.

**A barrier erected by the local authority to deny access to new age travellers.**

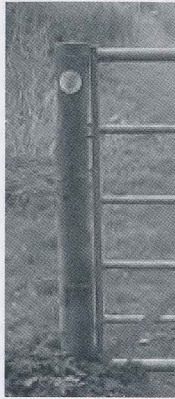




## Misleading Notices and Signs



**These two signs are on a gate across an unclassified road/BOAT. Not exactly an enticement to drive past.**



**Local authority 'Bridleway' waymarker on a BOAT - next to illegal gate.**

We have all seen one at some time or another. "No Public Right of way" on a big board right next to a route shown as public on our maps. The same applies to such notices as applies to obstructions - they are illegal and should be reported. For those who have attended Public Inquiries, it will be common knowledge that the landowner's representative will tell the Inquiry that there has always been a notice on the end of the lane that clearly shows the landowner had no intention of dedicating the route to public use. A very good reason indeed for reporting such signs to the local authority.

Again, with the small digital camera becoming even more common on the trail than tyre levers, a swift couple of shots to establish the location and the precise wording of the sign will provide plenty of evidence to accompany the letter to the local authority.

## Contacting your Local Authority

For the vast majority of us it will be the County Council, who, as highway authority, will have responsibility for maintenance and protection of public rights of way and other roads, such as the unmetalled, unclassified roads we ride. Let us be clear from the outset - local authority Officers are human (despite rumours to the contrary) and so the best way to get a job done is to be nice to them. Where possible offer assistance or give a good reason why it will be in their interest to abate the problem you take to them.

For a swift result the information supplied should be as accurate as possible. Many highway authorities now have the definitive map 'on-line', enabling you to obtain the correct number for the route. Some also provide a means of reporting problems on RoW via their web site. OK, this is quick and easy, but it gives you no copy of your report and you are only likely to receive an automated acknowledgement. It is always best to write either letter or e-mail. You will then know who to chase when nothing happens.

Local authority RoW Officers will be under pressure from many directions. They will know that they have a duty to assert and protect our rights, and they will also know that they have a totally inadequate budget. They also are effectively employees

of the elected Members - the County or Borough Councillors. It will not come as a surprise to learn that many County Councillors are also landowners, with a good chance of knowing the landowner for the route you have a problem with. In short, asserting and protecting our rights is a political minefield. All we can do is ask, then apply sufficient polite pressure if the response is not what we want.

Clearly, we should be moving away from letters to e-mail, which is very convenient if we are using a digital camera to record the problem. If you use electronic communication, be sure to back it up and file so that it is easy to follow up.

Your Address  
Some Town  
A Place  
DR350 10CC

Local Authority Address  
County Hall  
Duffshire

Date

Dear Sir or Madam  
Obstructed Highway

I write to report that BOAT (number) in the Parish of (name) is (insert 'illegally' if not a natural obstruction) obstructed at OS grid reference AB 123 789.

(Brief description of obstruction)

I attach a photograph of the obstruction. Please keep me informed of your progress in dealing with this matter. If I can assist further, please contact me on the address shown above

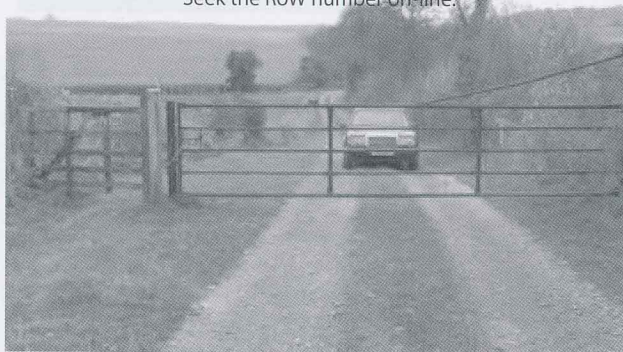
Yours faithfully

X. R. Rider, (Mrs)



### Check List

- Read all about obstructions in Rights of Way, A Guide to Law and Practice (The Blue Book)
- Note type of obstruction
- Note width of highway
- Is it passable?
- Does it present a danger to users of the route?
- Take a photograph
- Make note of the OS grid reference
- Seek the RoW number on-line.



On top of the examples of obstruction covered above, we occasionally are shaken from our enjoyment of the countryside by angry exchanges from the narrow-minded and selfish individuals who, for what ever reason, feel they, and they alone, have the right to enjoy some ancient lane. Such exchanges should ALWAYS be reported to your highway authority, and, if there is any hint of aggression, the encounter must be reported to the police. OK, a bit of a bind, but the next person to encountering Mr Angry-Famer may have a firey temper, or a weak heart and the conflict could have serious repercussions. Treat aggressive dogs in the same way as aggressive people. They are probably used by that landowner to deter use of the route.

Guns. If you encounter anyone on a public highway with a gun, report it to the police. Whilst it is not illegal to shoot over a highway it is an offence to fire a gun, or let off a firework, within 15 m of the centre of a carriageway.

Illegal use of motor vehicles; fly-tipping or any other suspicious activity should also be reported to the police. Theft from rural premises has always been a problem, so if you see it, report it.

This TRF guide note is issued to assist TRF members in dealing with obstructions to BOATS and unclassified roads. If you have an obstructed route and your local authority will not act, please contact your TRF Group RoW Officer or a regional contractor. These guide notes are not intended to be a complete or precise exposition of the law, but to explain the basics and to cite case authorities, statutes and other guidance notes. Please notify omission or errors.

Images by Dave Tilbury

Published January 2007

# ARRH! THE SMELL OF COCONUT!

You know when Spring is in full swing, when the smell of coconut balm drifts across the landscape from the yellow carpet of Gorse that decks the countryside at this time of the year.

We reached the Hamlet of Midwath Stead in Bretherdale passing fields of new born lambs. The rain was falling steadily but the way ahead looked brighter as we approached Breast High Road. Halfway up the steep climb and I knew I was back in the Lakes. The roads are characterised by rough, boulder strewn, highways, with the underlying bedrock and rock steps to test any bearings and fork seals. It is always a shock to ride these trails after the relative "Trail Riding for Softies" that is the North Yorkshire Moors experience, even when you are mentally prepared.

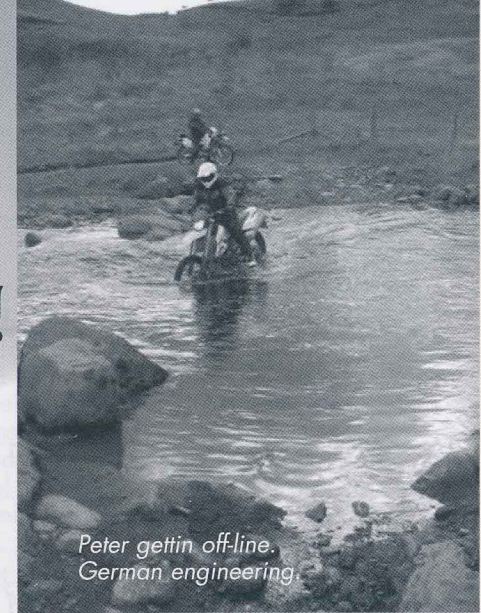
The overnight rain had swollen Borrow Beck but it looked crossable. The trouble is, it is so fast moving when in spate that large boulders are moved into the so called ford. More like a bomb hole that changes its profile everytime you cross it.

Harry took the plunge, wobbled across on his DRZ and turned round on the other side with a look of triumph, or was that relief, on his face.

Peter launched his 650 BMW trailie into the void, hit a boulder, stopped, filled his boots and then exited, stage left.

All well, feet down for safety, revs high and the Yam sent a bow wave down stream for 100m. "Let's hope the level drops before our return journey", I said. "I do not fancy sitting in the van for two hours with wet feet".

We followed the line of the old road to Kendal, which passes down a beautiful isolated valley, running parallel with the A6.



Peter gettin off-line.  
German engineering

Primroses were in abundance along the sides of the road and on the banksides. We took in four lovely BOATS that had not seen traffic for a while.

If you get your timing right, all the children from the tiny Brackenrigg Side School will give you a wave as they take their morning break.

Onto Gamblemire Lane and the first real view of the mountains in the distance. Shame they closed so many lanes around Underborrow and Crook but not to worry, they still left two or three "Brahmas" on the way to the ferry at Bowness.

The good news was, the ferry was on its way over towards us. The bad news was another 50% increase in the price, that is 100% increase, in the last twelve months. This service is run by the Council. Just shows how much petrol prices have risen lately. I think the crossing price is worked out from the cost of the petrol you would use to go round by the road. Still, it gives you chance to relax for ten minutes, sort out who was to pay the ferryman, who was to pay for lunch and who was on a freebie.

Pressing on we headed for Grizedale, a great climb up with its rock steps and the treacherous descent, over what could only be described as like riding on ball bearings. A loose collection of stones, some as big as bowling balls strewn

across a jagged bedrock. Bring it on!

Force Mill and High Ickentwaite led us to High Nibthwaite and the famous Parkamoor. The good part about the closure at the top end, making it a cul-de-sac, is that you get both magnificent views on the same day, as you travel up the Lake side and as you return.

The lakeside road to Coniston is also good fun, out of season. It has so many smooth bends that you can allow your "mount" to exercise its legs.

We filled up with petrol and headed to Hawkshead for lunch. Delicious homemade soup, roll and mocha coffee. By this time the sun was shining and Peter kindly paid for lunch. Thanks Peter, you made two other Yorkshiremen very happy.

Scar House Lane and the incomparable Knipe Fold with its scenic mountains, forest and tarns brought us to the complex around Little Langdale.

The sight of the Pikes always brings back the memories of my struggles, up to the tops, in my walking days. I climbed all the top thirty peaks in the Lakes, over a period of twenty years. Some more than a few times. My generation followed Wainwright's writings like slaves until you realised how much he took for granted in his descriptions ie. a scramble meant crampons and an iceaxe to any "lowlander". I never did get use to the sheer steepness of the ascents on some of the climbs but of course the views, when you got to the top, were well worth the effort.

I will always remember when I was seventeen, having to recover a poodle that had run down, off Striding Edge, towards Red Tarn, chasing a sheep, and thinking nothing of it. Or the last time I descended Scar Fell Pike, in thick mist, on the Corridor route at sixty. Scary or what!

With over fifty, probably nearer a hundred, deaths of walkers recorded in the Lakes each year some people are either too addicted to the prospects of a view from the top or just do not know when to give up.

You can imagine what would have happened to trail riding, if we recorded the same death rate on the trails. Then again fell walkers pass away quietly and there is the Mountain Rescue Teams to retrieve the foolish and the unfortunates. No

questions of seasonal closures, permits or age limits. But I digress.

The long road section via Staveley, due to the loss of Garburn road, up the Kentmere Valley to Stile End. More rocky descents and great views to Sadgill and the wonderful road up Gatesgarth pass to the locked gate. Again an opportunity to see both aspects of this road. I think the descent holds a better view than the ascent but it is like comparing fillet steak with lobster.

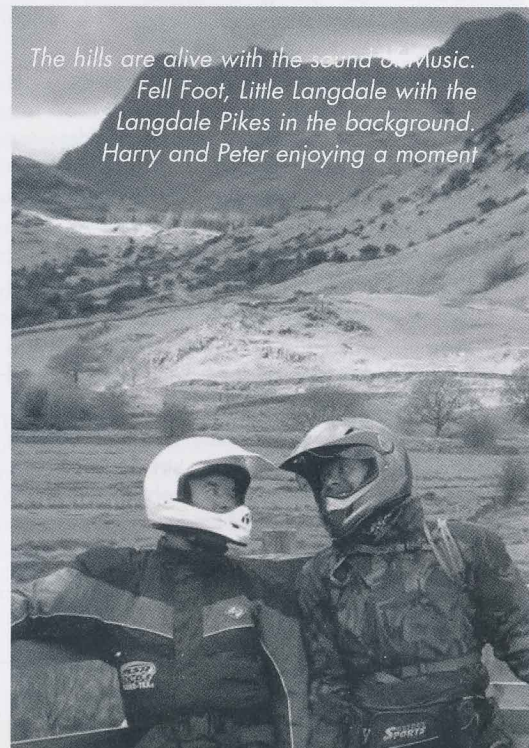
Retreating down Longsleddale is always a pleasure, heading back to Breast High Road. Another enjoyable trip draws to a close.

"Take my photo, crossing the beck", said Harry, as he handed me his camera. OK!

Unfortunately Peter crossed first, got a little off line and by the time I had photographed him, Harry had started across and the battery in his camera had died. Maybe next time Harry, I will try and remember my camera, as a backup.

Loading the bikes, back at Tebay, in the sunshine we reflected on another great day in the Lakes.

John Robinson



The hills are alive with the sound of music.  
Fell Foot, Little Langdale with the  
Langdale Pikes in the background.  
Harry and Peter enjoying a moment

# TOUR DE MENDIP

Sunday 7th September 2008

The TDM 2008 is a navigational scatter rally (treasure hunt) open to any motorcyclist. A couple of days before the start each entrant will receive a list of waypoints (WPs) and corresponding questions, all of which can be found on Ordnance Survey Landranger 183 (Yeovil & Frome). Most WPs will be on or near the end of a public vehicular RoW (i.e. BOATS, UCRS & Fords), thus ensuring the event will cater for all forms of motorcycle. Signing off is between 16:00 and 17:00 and entry will include a BBQ & refreshments.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSTCODE \_\_\_\_\_

TELEPHONE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

## MACHINE DETAILS

MAKE \_\_\_\_\_ MODEL \_\_\_\_\_

CLASS ENTERED Single Cylinder Trail  Multi Cylinder Trail  Standard Road M/C

All entries are dealt with on a strict 1st come 1st served basis and numbers are limited.

## **ALL MOTORCYCLES AND RIDERS MUST BE ROAD LEGAL**

### **INDEMNITY**

I declare that I am physically and mentally fit to participate and am competent to do so. I confirm that I understand the nature and type of event and risks involved and agree to accept these risks even if such risk may involve negligence on the part of the organisers/officials. I further agree that I shall not seek to claim against the TRF, their organisers or officials, the landowners, or other bodies or individuals connected with the event in respect of any damage to my property regardless of the cause, including any damage caused by the negligence or breach of said bodies or persons. I confirm that my motorcycle is road legal and effectively silenced.

SIGNED \_\_\_\_\_ DATED \_\_\_\_\_

Please complete and send this form (one form per entry) with payment and a s.a.e. (cheque made payable to "Somerset TRF") to:

**Reuben Alcock, 11 King Castle Road, Wells, Somerset BA5 3LS.**

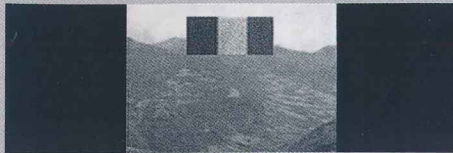
Entrance per motorcycle (including 1 x BBQ) £15.00

Extra BBQ @ £5.00 per person £

**TOTAL** £

**PLEASE ENCLOSE A STAMPED SELF-ADDRESSED ENVELOPE**

**ALL MONIES RAISED GOES DIRECTLY TOWARDS ENSURING THAT AS MANY SOMERSET GREEN LANES AS POSSIBLE REMAIN OPEN TO TRF MEMBERS**



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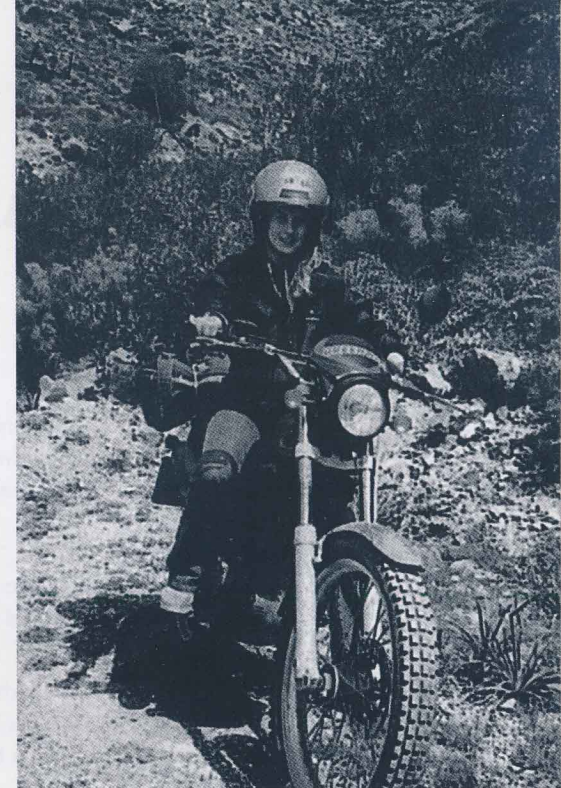
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# PILLION RIDING ROUND CRETE

Those of you with good memories may recall that two years ago I wrote a little article about trail riding in Crete. I gave some info on where to hire a bike as well as costs and local responses to bikes. This year my Granddaughter, having successfully negotiated her way through college, was due for a bit of R&R so I invited her to join me on a return visit to that magic isle. The arrangement was that I would get the air tickets and hire the bike and she would learn a bit of Greek, not you understand just hello, goodbye, please and thank you and so on.

Booking the airline tickets, the bike and buying a map were all done on the internet, well I didn't actually do it, that was down to my Grandson, you know how youngsters can flip around the internet as to the manner born (which of course they are). Two tickets on Easyjet, a form from Greenways Motorcycle Hire and a map from Road Editions and we were all set.

In Oxford we are lucky in having an excellent coach service that connects us every hour to all the main terminals so eight o'clock saw us on the X80 and heading for Gatwick, two hours later we were checked in and on our way. By the way don't bother with the speedy check-in that they try to sell you for £26, when we arrived there were more people waiting at the speedy counter than the normal one and we were processed in no time at all.



Arriving at Hraklion airport we soon got down into town and bought two coach tickets for Rethymno and by evening we were comfortably ensconced in our middle range hotel that Greenways had booked for us. The next morning at ten the young lady from Greenways arrived dead on time to check my licence and hand over the Beta Alp that her colleague had ridden over from their depot. How's that for service? When I asked her if she had any tips about riding their roads she just suggested that for the first day we should stick to the main roads and, once we were comfortable, to go where we liked. I also asked her about security and she looked very puzzled so I explained about locking up unattended bikes especially at night but she had never heard of such a thing and assured me that the bike would be perfectly safe at all times.

Later that same morning with just an overnight bag and Annie on the pillion we headed south from Rethymno for the coast and our first overnight stop. As we climbed up towards Mount Kedros it began to spot with rain so we quickly donned our waterproofs and carried on. As we climbed, the rain increased until it was fairly bucketing down and the mist was swirling around us. We arrived on the south coast at Agia Galini but were not very impressed so decided to carry on to Hora Sfakion through the Kotsifu Gorge, but this time we were both soaked and getting cold. Hora Sfakion is a nice little harbour town with a couple of small hotels and eating places so we decided to stop the night. "Ok" I said to Annie "you're the linguist, go in and book us a room". As she stood by the reception desk she was aware of the large pool of water forming around her and the receptionist told her to stand still as she didn't want water all over the place. Anyway she fixed us a room and then of course we realised that we had only the clothes we stood up in and they were saturated, but a decent meal and some restorative liquids and we began to feel a bit more human. By morning the sun was out and by the time we got back to Rethymno we were almost completely dry.

After the very unpromising start the rest was sheer magic, bright sunny days, temperatures in the mid twenties to thirties, empty roads, brilliant trails, friendly people, good food and wine, fascinating old towns. What more could you want?

Ok the details, Greenways bike hire, email to [info@greenways.gr](mailto:info@greenways.gr) a Beta Alp will cost you 25 euros a day including insurance and helmet (bigger bikes are available). Easyjet, website: [www.easyjet.com](http://www.easyjet.com). A ticket from Gatwick to Iraklion £262 this includes one hold bag. A map of Crete from [www.road.gr](http://www.road.gr) costs 11.88 euros including postage (but take care they are only on paper and won't stand a soaking). What else do you need to know? Meals about forty euros for two including a jug of wine, rooms about the same, petrol 1.20 euros a litre and about 1.40 euros to the pound. Go in the spring when the temperatures are reasonable, the roads (and trails) are empty and accommodation is freely available and stay away from the touristy areas of the north coast. It's easy really but the best news is that the Cretans don't differentiate between footpaths, bridleways or byways. If you can ride it, you can ride it.

Bob Combley

# DEVON TRF TEIGN TO TAMAR

26th/27th April 2008

**How much we raised £1720**

## FRIDAY EVENING

Paul met with the riders who were around and pulled together a useful list of who wanted to ride at what level and who wanted to stay with their group or friends.

## SATURDAY

Riders who stayed at Wheeldon were up and about for around 7:30am, with a scummy, full English breakfast being served from 8am till 8:30 am.

Noel, Steve and Trev managed to speak to those that Paul did not meet on Friday night and by 9:15 all riders were placed with ride leaders on a central list and had signed the DTRF risk documents

Noel took centre stage on the lawn and carried out a riders brief

By 9:30 most of the riders were ready to roll and we only had two stragglers from Cornwall who thought the start time was 10am...

Groups set off as soon as they were ready, but Steve refused to let them up the lane until they lined up for their group photos. Luckily no one decided to ride over him.

Weather was brilliant - perhaps too hot!

The primroses and bluebells were at their best giving a nice display in the hedgerows. Trev recalls having to swerve to miss a bunch of primroses that were growing in the centre of one of the lanes in the South Hams!

## 6 GROUPS:

Dave, Paul, Mark, Andy, Liz, Hedley

## BREAKDOWNS

John - a faulty rear tyre punctured the tube and returned to base, didn't miss out on the fun as Noel and Steve took John for a special tour.



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Ivan - Rear brake locked up, Ivan released the brake but needed to pull out and return to base.

Liz - Lost her clutch and had to return to base, so Tina stepped in and took over a route with no chance to prepare!!

There were a high number of punctures but these were fixed "lane side".

## SATURDAY EVENING

An excellent BBQ was laid on.

Track ride - With hindsight, maybe we should have planned this for the Friday night as only three were up to taking on the track after a

long day of riding.

## SUNDAY

Misty in the morning and rain showers later in the day, but not too bad and didn't seem to spoil anyone's enjoyment.

Several retirements - the nicest reason being that of Peter Coates who had such a great time on the Saturday that he felt he had his money's worth and was happy to take a rest on the Sunday! Ivan decided the night before that without a back brake it would be too dangerous as he had a two-stroker.

Devon Group May Newsletter

# POSTBAG

## THANK YOU!

May I, through your columns, say a big "thank you" to Nigel and the boys from Caerphilly who helped me out after I had dumped in a large puddle just below the Elan Dam - without (of course) any proper tools, which my son had ridden back to collect. They fiddled with the plug, stripped and dried out the carburettor and then tow-started (peg to peg) across a swamp, with "Big Nige" insisting on doing my bit, to keep a lot of weight on the back wheel as he was (as he put it) a bit heavier than me, which was marginally true.

We eventually got it going, so you can imagine my considerable embarrassment when - with one of the group holding the gate for me - I dumped it again, in the river. At this point

lesser men would have called it a day, but no, Nigel and his friends insisted on doing it all again, before wishing me well and riding off to enjoy the rest of what was left of the day.

I was only sorry I could not persuade them to join me later on for some hospitality - "all part of the Fellowship" as Nigel put it - anyway, who wouldn't have seen enough of me by now?!

So thanks a lot lads, you not only got me out of trouble but also restored my faith in human nature.

Andrew Ewart-James, Gloucester Group

## KTMs

I found the piece from Brian Thompson about

KTMs to be pretty silly. Whilst there is a good argument that had enduro bikes never existed and the original small number of trail riders were still pottering around on old British road iron, we would not be facing the current levels of antagonism and legislation, it is as helpful as Canute waving back the tide.

Come on, get real Brian. Aggressive looking enduro bikes have been here since the 70's. It is what the majority of trail riders want to ride and you are not going to change it. If you think you can through sarcastic comments you will be disappointed. There is no doubt you have done much to help retain rights of way but an acknowledgement of the enduro bike's prevalence and working with that fact might actually be productive. The authorities are well aware of these bikes and trying to pretend all trail riders will all be drawing a pension and riding scooters is hardly likely to gain credibility.

Let me explain the reasons, I, and I suspect others, ride enduro bikes. Firstly, we want to ride trails that you cannot on a scooter. Secondly, we also ride enduros. I am sure there is a third regrettable reason which is that some want to make a lot of noise and look a bit dangerous. All these people exist, ride trails and you will not stop them. So you can have them alienated and ignoring the TRF as "out of touch" or you can acknowledge the way of the world, seek to educate them and use their money and numbers to help fight closures.

What would be helpful would be pressure to quieten bikes down. Ideally through legislation but certainly through sport governing bodies such as the ACU and AMCA - if we have a voice within them. I think the legislative route, although the best for us, is probably closed because it suits the antis to have loud bikes out there to demonise us. Many of the latest Japanese enduro bikes are in fact as quiet as your scooter. Much to our shame it is due to US pressure and legislation not European. We all know that the arguments thrown against us

about damage and sustainability are mostly horse droppings. After all, similar problems on footpaths do not lead to permanent TROs, they get repaired or left. Noise however is a genuine problem but any legislation we ask for should encompass all. Let's not single ourselves out as the problem when other vehicles are often worse. The Power Ranger brigade and hatchbacks with drain pipe exhausts for example.

As for the Scooter's image - Roman Holiday? I think more will remember Mods and Rockers running battles in Brighton. You hooligan Brian! Being serious, yes scooters are considered friendlier but they are pretty useless on trails 90% of us ride. As for the comments and image that most of the motorcycle press portray, it is sad isn't it. Unfortunately that's what sells magazines and papers. It's a bit like criticising politicians for being duplicitous and disingenuous. We get the leaders we deserve!

Ian Packer

## MORE KTMs

While Brian Thompson's "tongue in cheek" mention of the advantages of KTM ownership doesn't warrant the article suggested, this short letter (in a somewhat similar vein) should suffice to explain why this is the choice of many of us.

1 - Versatility: My EXC 400 is equally suitable and successful for trail riding, enduros, three stage trials, long distance trials and riding on the road. Also previous Enduro machines that I have owned have even produced good results at moto-cross.

2 - Image: It would be naïve to suppose that your average rambler etc met on the trail would make any distinction between makes or types of motorcycle. While it's true that it is possible to make more noise with a KTM than a Serow, it's also possible to cover more challenging sections with less noise and less



fuss, thereby drawing less attention to oneself. This is due to the superb handling and suspension, together with the power and traction available at low revs. So - while the Serow rider may well be falling about and footing as he revs his way through a tricky section, thereby confirming the strongly held belief of our enemies that they are in danger from us, the KTM rider is able to pass serenely, feet up, at low revs almost unnoticed. It's the way that we ride, not what we ride that counts. A machine ridden competently and courteously will always leave a more positive impression with those not already prejudiced beyond redemption.

3 - Fun: The reason we ride bikes is because we enjoy it, and some bikes are a lot more fun to ride than others. Having ridden most trail and enduro bikes, I would place the Serow at one end of the spectrum and the KTM at the other. With it's light weight, sharp competition handling, riding position that places you in control, power available from tickover to an exhilarating surge of top end acceleration, it rewards your riding skills and is built for pure enjoyment.

4. Why a KTM: Why a KTM over other makes of competition machine? Having previously had the much underrated KLX 300 after a five speed Husky 510, I wanted another bike with six gears. While the other makes are comparable in most respects with a KTM, most only have five gears and tend to be a bit over geared for the tricky stuff in first and under geared for the road in top. The tall KTM top gear enables 100 miles from a tank-full at trail speeds on a good day.

So - while the Serow, together with the Beta Alp and CRF 230 are great bikes, and will go where other larger and heavier trail bikes fail, the same sections of trail can be ridden with more precision, and therefore more satisfaction on a KTM. When the going gets tough it can go up steeper hills, through deeper mud, and over bigger rocks and

gnarlier roots. Above all it's a lot more fun and that, after all, is the only reason we are all out there.

John Johns

## IS THERE A FUTURE?

They say you should have no regrets in life but I guess we all have a few, one of mine is that I left it so late in life before I got involved in trail riding. I was 50 last year and went out on my first ride in February. I have ridden road bikes since I was 17 but never realised there was so much fun to be had riding in places I never new existed at speeds where your only worry is about losing your balance not your license. However I am bit confused as to the TRF's role in all this and whilst it is easy to criticise, which is often counter productive, I do feel compelled to voice my opinion.

Reading the Trail Magazine does not make me want to get out on my bike but wonder if I should not sell it before all the lanes are closed. Page after page of BOAT's, TRO's, LARA, CCW, NERCA, GLEAM, CPRE, CLA, UCR's and unlawful signs etc is more like reading the law society magazine. My local TRF monthly meeting spends more time on TRO's and notes from the local access forum than it does on things to promote the TRF and trail riding. There is no doubt that the future of trail riding is in danger, so we need to get more people trail riding as members of the TRF and promoting the positive side of the TRF. Tunnel vision on TRO's, bobble hats, nimbys etc will sign our own death warrant.

On a positive note, page 24 of May 2008 Trail headed trail rides for the mentally handicapped, it's things like this we should be doing more of, it's such a positive thing to do, Jeff and I from the Cornwall TRF are taking our bikes up to support Mike Rees and the local TRF.

Ross Fisher,  
Member Cornwall TRF

# ON THE MAPS PART 3

Created by Glenn Vieira

K D S B O J T A E R G U B G I  
 K H C R U H C Y V I K O O R B  
 B Y Y E L K C U L P V O U H E  
 L L I H Y R R E B P S A R L D  
 G A I G E N A D S E L O C O L  
 V N N N L R V A G R Q W O V A  
 B G O I G A V R S S I W L E M  
 Z H C T L R E R V C S A D L S  
 A Z A L O E O Y P R B W B A U  
 B C E I N Y S O E O U Z L C T  
 K Y B B D X E K M S T G O E N  
 X R E N R O C Y L S B T W D O  
 I R U C K I N G E W W W E X P  
 B M Q U D O O W S G G A F R S  
 F Q J M X X V J J D O O A U S

BEACON  
 BEDLAMS  
 BILTING  
 BLINGROOMS  
 BROOK  
 COLDBLOW  
 COLESDANE  
 DICKERSWOOD

FAGGSWOOD  
 GOOSEGREEN  
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