

**To:** Maidstone Joint Transportation Board

**By:** Spencer Palmer – Head of Highway Operations

**Date:** 18 April 2012

**Subject:** U1647 Clapper Farm Lane

**Classification:** Decision Required

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**Summary:** To consider the formal advertising of a Traffic Regulation Order (Prohibition of Motor Vehicles) with appropriate protection to Clapper Farm Lane (Part).

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**Background:**

1. A report was previously brought before the Board regarding Clapper Farm Lane.
2. Clapper Farm Lane is a rural “green” lane within the Parishes of Marden and Staplehurst, the majority of the Lane being in Marden.
3. For a number of years, the lane had not been used and had become overgrown and inaccessible. This had been further exacerbated by the depositing of a variety of vehicles and a large amount of soil and rubble at the western end of the lane.
4. Kent County Council (KCC) were approached in 2006/2007 by Marden and Staplehurst Parish Councils along with local parishioners requesting that the obstructions be removed, the vegetation cut back and the lane re-opened for access to the exception of motorised vehicles.

**Current Position**

5. Following the previous report to the JTB the lane was cleared of vegetation and spoil so as to re-open the lane. The vehicles and equipment that were blocking the lane at western end to the most part have been moved to one side to allow passage. Any future blocking of the lane by vehicles may be a Police enforcement issue.
6. In terms of the concerns raised initially, there have been no reports to KCC regarding fly tipping and misuse of the lane for anti social behaviour. We have however had complaints regarding limited access at times from the western end of the lane; these have been investigated on each occurrence.

We do however understand local concerns from the residents that live within the lane. The previous report outlined a number of measures and this report looks to continue to deliver the next phase.

7. In order to provide protection to the lane, as previously set out in the original report to the Board, KCC Highways have undertaken an informal consultation. This has taken place with the local residents of the lane and Marden / Staplehurst Parish Councils to gauge the current view before formally advertising. This was to ensure we had support before proceeding with a financial commitment of a formal Traffic Regulation Order (TRO).
8. The comments that we received were generally supportive of the TRO to prohibit motor vehicles. There were however mixed views on the type of physical protection with some parties supporting the Kent Carriage Gap set up with bollards and others preferring to see the horse stile / hop over gate arrangements (see attached photos - appendix C). We would however have to provide a maintenance gate on one end for future cutting of the lane.

## **Proposals**

9. Formally advertise of Traffic Regulation Order (Prohibition of Motor Vehicles).
10. Members to vote on the following options to support the Traffic Regulation Order:

Option 1 – Kent Carriage Gap: – offers physical protection from cars and 4x4 but not from motorcycles / quads - it does allow access to pedestrians / horse riders and horse drawn vehicles.

Option 2 – Horse stile /hop-over gate arrangement: – best form of physical protection from vehicles but limits lane to pedestrians and horse riders only.

## **Conclusion**

11. In order to try to balance the concerns of the local residents with the groups wishing to use the lane there needs to be compromise on all sides. It has been established that this “green lane” forms part of the highway; we must however look at use of public funds and consider the longer term objectives. Looking at the numbers of users from evidence on the ground and speaking with local’s it appears that the lane is used primarily by horse riders and walkers with limited horse drawn vehicle use.

As per the previous report, the lane provides no real highway purpose and would be more suitable for walkers and equestrians. Therefore, future consideration needs to be given to reclassifying the lane as a bridleway/Public Right of Way and maintained as such with a more substantial surface.

## **Recommendations**

12. The Board support the formal advertising of Traffic Regulation Order (Prohibition of Motor Vehicles).
13. One of the options is supported with the Traffic Regulation Order, as set out in the proposals.

14. Public Rights of Way are consulted to the prospect of reclassifying the section of the lane if the Traffic Regulation Order and protection are implemented.

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## **Appendices – A/B/C**

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