

# MSWG Update

Treadlightly, along with other representatives of motoring users of rights of way has been closely involved with The Motoring Stakeholder Working Group.(MSWG)

MSWG is chaired by Natural England who have recently stated the following:

*“... we are not at this point intending to schedule a meeting for October but propose, in line with discussions and actions from the last meeting, to consult with highway authorities re: best practice around TRO use and other vehicle management measures and strategies, with the aim of revising and updating the existing guidance made in two previous publications “Making the Best of Byways” and “Regulating the Use of Motor Vehicles” \* We will also collate information from the sub-group reports and meeting discussions and contact you if we need any further detail or clarification. We don’t have a definite timescale at the moment but it’s likely to be Spring/Summer 2019 before we have a working draft. In the meantime members are of course welcome to contact us and continue online and face to face discussions.”*

\* We have slightly re-worded the text of the original email to clarify the two documents to which Natural England refer. Both documents were published in December 2005 and are available here;

[http://laragb.org/pdf/DEFRA\\_200512\\_RegulatingMPVonPROW.pdf](http://laragb.org/pdf/DEFRA_200512_RegulatingMPVonPROW.pdf)  
[http://laragb.org/pdf/DEFRA\\_200512\\_MakingTheBestOfByways.pdf](http://laragb.org/pdf/DEFRA_200512_MakingTheBestOfByways.pdf)

## **Some background to this decision by Natural England**

In the immediate aftermath of the passage of the Deregulation Act 2015 through Parliament, the Minister for Rural Affairs announced the formation of the Motoring Stakeholder Working Group (MSWG). The MSWG was tasked to look at a broad range of issues regarding the recreational use of motor vehicles on unsealed roads (including byways open to all traffic), and had members drawn from local government, land managers, non-motor users, motorists, and organisations seeking to close these roads to drivers. The group was to be facilitated and chaired by Natural England. The first meeting was on 17 November 2016, and the most-recent on 2 May 2018.

The MSWG focused on four principal areas:

- The status of unsealed unclassified roads.
- Traffic regulation: orders and other measures.
- Surface standards and repair.
- Illegal and anti-social driving.

In late 2017 the House of Lords Select Committee on the Natural Environment and Rural Communities Act 2006 heard evidence about how the NERCA Act had changed the pattern of vehicular use of unsealed roads (including byways open to all traffic) and the Trail Riders Fellowship, LARA, and representatives from the anti-motors organisations, submitted written evidence and spoke to the Committee.

The Select Committee's report, published on 22 March 2018 and available from here:

<https://laragborg.wordpress.com/2018/03/26/house-of-lords-nerca-review-published/>

It concluded that the current system of making traffic orders is just not flexible enough - something the motoring groups had stressed in their evidence - and recommended that the Government should move to make the process more effective.

It seems that the Government has now decided to progress the achievements of the MSWG by updating its own 2005 guidance.

The motoring members of the MSWG (GLASS, LARA, TRF, Treadlightly) will continue to work with Natural England, DEFRA, and other MSWG members, in producing good, effective, and fair guidance on traffic management and remain committed to seeking "as much consensus as possible" via the MSWG in line with the Government's stated position as made in the House of Lords during the debate on the Select Committee's report (see above).