

Chris Henning
Executive Director
Place Department
County Hall
Matlock
DE34 3AG

16 March 2022

Dear Mr Henning

A57 Snake Pass road closure

We are writing to you regarding the emergency temporary road closure on the A57 Snake Road, between Glossop and Bamford. Notice was given by the council under section 14 of the Road Traffic Regulation Act (RTRA) 1984, prohibiting use of the road by all traffic at Alport Dale, between Heyridge Farm and Gillot Hey Farm, from 22 February to 22 March 2022. I note that a statement on the council's website dated 23 February <https://www.derbyshire.gov.uk/council/news-events/news-updates/news/landslips-following-storms-closes-a57-snake-pass.aspx> indicates that inspectors found movement in three locations along a mile-long section of the road following recent storms, with drivers asked to follow a diversion route.

BBC reports following the closure quoted the council's cabinet member for highways, Kewal Singh Athwal, saying that local access would be maintained for residents and specifically requesting that drivers follow the diversion route, suggesting that notwithstanding the terms of the notice, which applied to all traffic, that the intention was to prevent motorised through traffic rather than people walking and cycling from accessing several miles of the Snake Pass. Indeed, cyclists and walkers continued to use the road, seemingly without any objection from the council, until the council announced via twitter <https://twitter.com/Derbyshirecc/status/1501195447163105283> on 8 March that it was closing the road to all users, including cyclists and walkers, apart from those who live there or their visitors.

According to a BBC report on 8 March https://www.bbc.co.uk/news/uk-england-derbyshire-60663123?at_medium=RSS&at_campaign=KARANGA, a council spokesperson indicated that with motor vehicles still on the road for both access and to monitor the landslip, that there were concerns "there will be an accident involving a vehicle and a cyclist because of the large numbers of cyclists that have taken the opportunity to go out and ride the road." The council's most recent statement on the closure was reported in the Derbyshire Times on 14 March <https://www.derbyshiretimes.co.uk/news/politics/council-stands-ground-over-derbyshire-a57-snake-pass-closure-following-mass-trespass-3610424>, with a council spokesperson again indicating that the original notice was not intended to exclude walkers and cyclists, but that the council had subsequently extended the closure to include them, again citing safety concerns.

Whilst we have various questions about the initial closure, and its extension to people walking and cycling, our primary concern is whether the council intends to issue a further notice and continue

the closure beyond 22 March, and if so which users any such closure will apply to. As we understand matters, the remedial works have not yet been completed, hence it appears almost inevitable that the council will be seeking to continue with some form of closure. Working on that assumption, we would be grateful if you could clarify:

1. Whether the council consulted with the Peak District National Park Authority (PDNPA), pursuant to S14(2) RTRA <https://www.legislation.gov.uk/ukpga/1984/27/section/14> :
 - a. Before issuing the notice closing the road.
 - b. Before deciding, on 8 March, to extend the closure to people walking and cycling.
 - c. At any time since 8 March.
2. If the council did consult with PDNP, what if any concerns or views PDNPA expressed regarding the exclusion of walkers and cyclists from the Snake Pass.
3. If the council has not consulted with PDNP, whether it will now do so before extending the closure, and specifically consult on any proposal to include walkers and cyclists within the class of excluded users.
4. The nature of the safety concerns which led to the decision on 8 March to extend the closure to cyclists and walkers, and any data, information, evidence or risk assessment which informed that decision.
5. How the council concludes that people cycling up or down the Snake Pass are now more at risk now from people in motor vehicles, when motor traffic is substantially reduced, than they were when the road was fully open to all motor traffic.
6. Whether and if so how the council has factored in the health benefits of walking and cycling, and the wellbeing benefits of access to the outdoors, when concluding that the volume of people accessing the Snake Pass by foot or cycle presents a safety risk justifying their exclusion.
7. If the council did not factor in the benefits referred to within question six, whether it will do so before 22 March.
8. Whether the council will reconsider the data, information, and evidence, and undertake and disclose a risk assessment prior to any decision to include walkers and cyclists in any extended closure beyond 22 March.
9. What traffic count and collision data the council has for both cyclists and motor vehicles along the Snake Pass both before and after the closure of the road, and:
 - a. whether and how that was assessed or considered when taking the decision to extend the closure to people cycling and walking.
 - b. whether it will be assessed prior to any decision to include walkers and cyclists in any extended closure beyond 22 March.
10. Why the council has sought to prevent cyclists and walkers from accessing the Snake Pass, with 'road closed' notices, several miles before the section of road subject to the formal closure notice, rather than use the usual 'road closed ahead' notices, given that there is no notice or order which prevents traffic from accessing the Pass save for the one- mile section subject to the notice.

As you will no doubt appreciate, Cycling UK are concerned about the extension of the closure to people cycling and walking, as any closure notice could have been restricted to particular users, for example motor traffic. We are also concerned that the council may extend this closure, including cyclists and walkers within the excluded user types, beyond 22 March.

We would therefore be grateful if you could respond to the questions raised withing this letter as a matter of urgency, and before any decision is made to include cyclists and walkers within any closure beyond 22 March.

Given the issues raised we are obliged to indicate that if you are unable to address the concerns raised in this letter, providing a reasoned evidence-based justification for closing the road to walkers and cyclists, that we are likely to seek legal advice regarding any decision to extend the closure to cyclists and walkers beyond 22 March.

Yours faithfully,

DDollimore

Duncan Dollimore, head of campaigns

Cycling UK