

The Openness of Local Government Bodies Regulations 2014 require that officers keep a written record of decisions which are made, either:

- a) under a specific express authorisation or
- b) under general delegated authority, where the effect of the decision is to
 - i) grant permission or licence;
 - ii) affect the rights of an individual; or
 - iii) award a contract or incur expenditure which, in either case, materially affects the Authority's financial position (£50,000 or over).

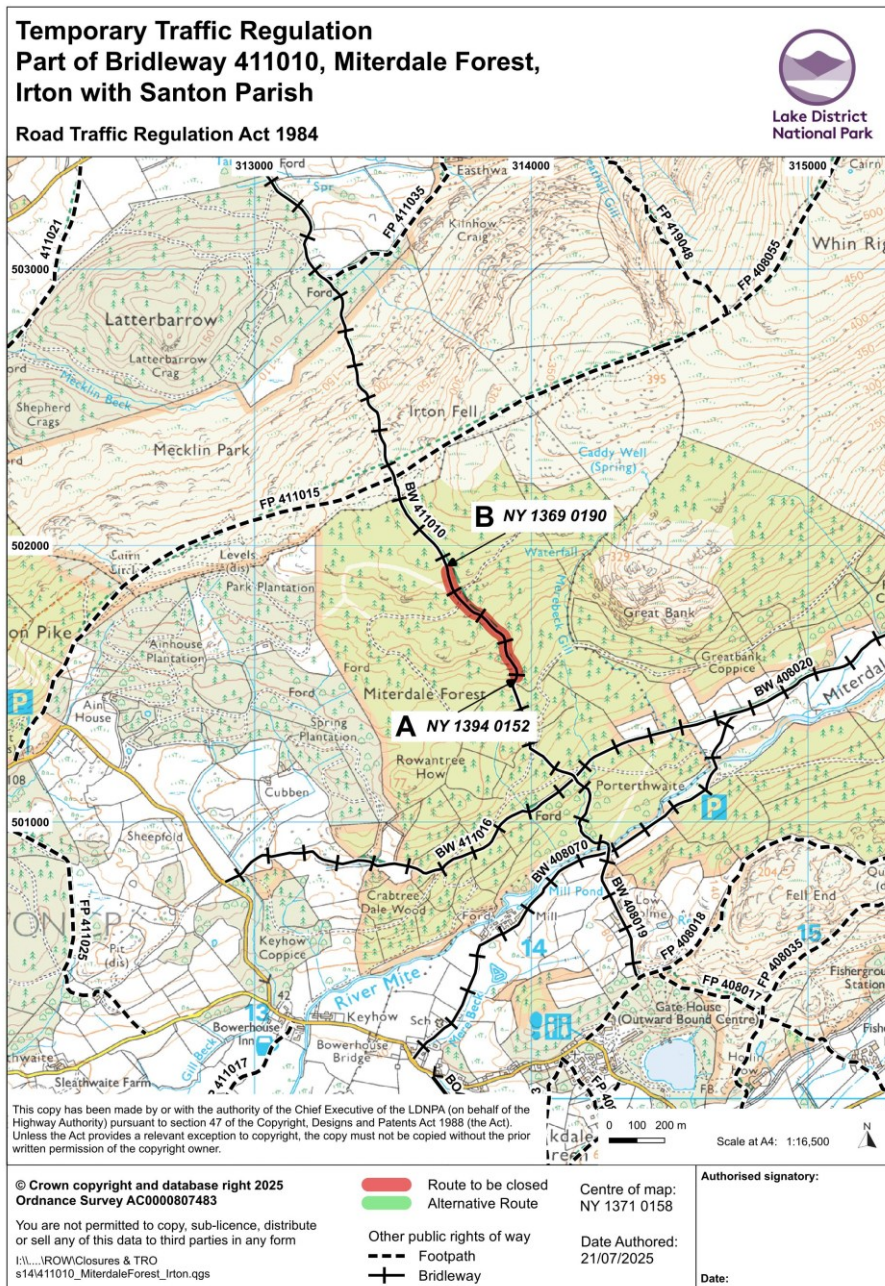
Lead Director	Steve Ratcliffe, Director of Sustainable Development	
Subject of Decision	TEMPORARY TRAFFIC REGULATION ORDER, BRIDLEWAY 411010, MITERDALE FOREST, IRTON WITH SANTON PARISH	
Relevant section of Scheme of Delegation	<p>PART 4 - DELEGATION OF FUNCTIONS TO OFFICERS ANNEX 4 - Functions delegated to Head of Ranger & Strategy Service (and exercisable by the Head of Ranger Service as that post has ceased to exist), and sub-delegated to Ranger Team Leaders. Rights of Way and Access Matters All functions of the Authority under the Highway Acts (whether acting pursuant to its own functions or in pursuance of functions delegated to it by Cumberland Council) except for the making and confirmation of Definitive Map Modification Orders (Wildlife and Countryside Act 1981) and the decision to refer to the Planning Inspectorate of the confirmation of any orders under the Highway Acts where formal substantive representations have been made. "Substantive representations" are those which explain adequately the nature of the concerns and meet the legal considerations defined by the Highways Acts and Planning Acts.</p>	
Background	Forestry England (FE) have made an application for a temporary closure of part of bridleway 411010 to enable their contractors to undertake felling of crop trees in line with their forest plan. There will be no suitable alternative route available during these works.	
Details of Decision	<i>That we issue a Temporary Traffic Regulation Order for Bridleway 411010 shown between Points A and B on the plan within the report.</i>	
Details of alternative options considered and rejected.	<ul style="list-style-type: none"> • Not making the order 	
Where a decision is made under an express authorisation, names of any Member(s) who have declared a conflict of interest		None
Author and contact details of report	William Hinchliffe, Rights of Way Officer	
Background Papers	Case file 1410.003 (284)	
Date of Report	29 August 2025	
Authorising officer	Steve Tatlock, Ranger Team Leader	

TEMPORARY TRAFFIC REGULATION ORDER, BRIDLEWAY 411010, MITERDALE FOREST, IRTON WITH SANTON PARISH

1 Summary

- 1.1 This report recommends the temporary prohibition of all traffic over part of bridleway 411010 within Miterdale Forest to enable forestry harvesting operations to be undertaken safely and efficiently.

Recommendation: *That we issue a Temporary Traffic Regulation Order for Bridleway 411010 shown between Points A and B on the plan*



Map 1: Location Plan

2 Details of Request

- 2.1 Forestry England (FE) have submitted an application for a temporary closure of part of bridleway 411010 through Miterdale Forest, shown on the plan between points A and B. They intend to undertake clear felling of crop trees in the area traversed by the bridleway, in line with their forest plan for Miterdale. FE anticipate the works commencing in November and that they may take around six months. The order would cease to remain in force if the works were completed prior to its expiry. The order could also be extended beyond six months with the authorisation of the Secretary of State. FE are the relevant Access Authority for this land and will also be issuing a direction (restriction) on open access during the works.
- 2.2 The works will be undertaken by contractors using a harvester and forwarder. The felled timber will then be stacked and removed from the site by lorries using the forest road which intersects the bridleway at several points. FE are of the view that it will not be possible to safely manage continued public access on the bridleway through the site whilst the works are underway due to felling taking place immediately alongside it (below the minimum safe distance for felling), along with the movement of vehicles / heavy machinery throughout the area and along the forest road. Due to the volume of trees being felled and difficulties with maintaining a clear line of sight across the area FE's assessment is that access cannot be safely maintained by utilising banks persons. Given that the works will be taking place through the winter months there may be works ongoing in darkness exacerbating the difficulties with visibility.
- 2.3 Unfortunately there would be no suitable nearby alternative route available for the public during the closure. We queried with FE whether the forest road through the site may be viable as an alternative but they responded that this would entail significant risk to the public with the road also being used by vehicles and machinery during the works and timber stacking taking place. FE have confirmed that whenever feasible they do intend to make the route safe before weekends and bank holidays during the closure period so the public can still use the bridleway during these times. Additional signage will be necessary to inform the public of this.
- 2.4 Given the lack of an alternative I concur with the Parish Council's feedback during the consultation that careful placement of notices informing users of the closure will be necessary. We will inform FE where site notices must be placed. This will include at either end of the closed section of the bridleway, and also either end of the bridleway in Nether Wasdale and Eskdale Green, and on other connecting public rights of way and nearby parking places (such as Irton Pike). We will also require FE (or their contractors) to inspect the site notices at regular intervals to ensure they remain in place and replace any that go missing.

3 Policy Context

- 3.1 A key outcome of the Vision for the Lake District National Park 2006 – 2030 is a landscape which provides an irreplaceable source of inspiration, whose benefits to people and wildlife are valued and improved. Our Partnership's Plan is the Management Plan for the Lake District National Park which contains our policies for achieving the aims and desired outcomes for the Vision.

- 3.2 There is no specific action or policy relating to temporary closures, but they are a fundamental part of managing the rights of way network and ensuring efficient service delivery.

4 Options

- 4.1 The options are to:
- a) Make the Order
 - b) Do not make the Order

5 Proposal

- 5.1 I recommend option 4.1a for the reasons set out in sections 2 and 8. A closure of the bridleway will allow FE to carry out felling safely and efficiently in line with their forest plan. There would be significant hazards to the public if the bridleway remained open when works are underway, and this would also be detrimental to the efficiency with which FE's contractors could complete the felling and extraction. It is unfortunate that there will not be an alternative route, but in this case there does not appear to be a suitable option available. This will be somewhat mitigated by the bridleway being made safe for public use during weekends and bank holidays.

6 Best Value Implications

- 6.1 The Best Value implications are:
- a) The **challenge** is for us to effectively manage the network and inform the public of relevant issues.
 - b) Processing temporary traffic regulation orders is not a **competitive** procedure. Cumberland Council can also process temporary closure orders, but we are the best placed organisation to make this order.
 - c) We have carried out the required **consultations**.
 - d) We have **compared** our processing of temporary closures to other similar organisations. We have no specific targets relating to them, but aim to process all requests in a timely fashion, without significant financial or staff implications.

7 Finance Considerations

- 7.1 The costs of a temporary closure Order are approximately £1,060 (which covers staff-time, stationery and postage) plus the cost of two newspaper adverts. These costs will be met by Forestry England.

8 Risk

- 8.1 The major risk associated with this is if we do not make an order. There would be significant risks to users on the bridleway during the felling, processing and extraction works from both machinery / vehicle movements and trees being felled and stacked. It would be difficult to manage continued public access with banks persons due to the length of the route and works potentially taking place after dark – visibility for the contractors and path users would be poor. Making the order should minimise the risks arising due to FE's works by restricting the public's use of the route and putting signage in place to make users aware it is closed.

9 Legal Considerations

- 9.1 The relevant grounds for restricting or prohibiting traffic on this right of way is within section 14(1)(a) of the Road Traffic Regulation Act 1984; namely because works are proposed works to be executed on or near the road (highway).
- 9.2 The Head of Strategy & Ranger Service has delegated powers to authorise the making of orders for the temporary closure of paths under the provisions of Section 14 of the Road Traffic Regulation Act 1984, and under our Agency Agreement with Cumberland Council. As this post no longer exists these powers have transferred to the Head of Ranger Service Post. These powers have also been sub-delegated to the Ranger Team Leaders' Meetings.

10 Human Resources

- 10.1 The work involved in this proposal is approximately 15 hours from members of the Ranger team, and 0.5 hours from the GIS Officer. The work involved is part of our day-to-day duties, and most of it has already been undertaken.

11 Sustainability

- 11.1 I have not identified any significant environmental, economic or social effects that will affect sustainability.

12 Consultation Responses

- 12.1 We carried out a public consultation with interested bodies and individuals including Cumberland Council (the Highway Authority), Parish Council, Local Access Forum and various user groups. We received the following responses:

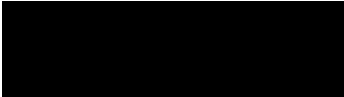
Consultee	Comment	LDNPA Response
Irton with Santon Parish Council	<p><i>At the parish meeting last night the councillors discussed the proposed closure.</i></p> <p><i>It was felt that the proposed closure is actually part of a much used walking route by locals and tourists.</i></p> <p><i>Whilst we understand the needs of Forestry we ask if there is perhaps an alternative?</i></p> <p><i>If this isn't the case then clear signage needs to be put in place that the footpath is closed way before people get there. i.e at the bottom of Irton Pike and perhaps the route from Eskdale and Wasdale. It is also important to the parish that the time scales for this project are adhered to and that we are kept up to date with the progress.</i></p>	<p>Confirmed that we had queried the potential availability of an alternative route on the forest road with FE and that we would pass on the Councillors' comments and see if they can re-consider any way of maintaining a safe alternative route through the forest during the works.</p> <p>If this won't be possible, agreed that very clear signage will be needed on all approaching routes to ensure the public are made aware of the closure and not unduly inconvenienced.</p> <p>Confirmed we will also ask FE to keep us informed as to the progress of the works and any</p>

		<p>changes to their expected timescales.</p>
<p>Cumbria Bridleways Society</p>	<p><i>Whilst Cumbria Bridleways Society have no specific comment to make about the temporary closure of the BW to enable felling to take place, a couple of our committee members, who have knowledge of this BW, say that it is in a very poor condition along with a section of BW across Irton Fell which is very badly eroded (both sections circled on the attached map). In addition, I was approached by a lady at a equestrian event, where CBS had a stand, who said that the bridleways through the Forestry Commission land in this area were 'being trashed' by forest vehicles and then large jagged stone was being used to cover some of the path making it most unsuitable for horses to use. I am afraid I can't give you a location of where exactly this has happened, which I know is not very helpful to you.</i></p> <p><i>Cumbria Bridleways Society wonder if FE will reinstate this bridleway to a usable condition so equestrians can ride it once the felling work is complete and/or open up some of the forest roads in this area? CBS is fully supportive of the agricultural and forestry industry and we would be more than willing to meet with any landowner to discuss what we can do to assist them to deliver improved access. We would much rather provide advice about suitable surfaces etc to a landowner before work is commenced than to discover that equestrian access to bridleways is being lost due to unsuitable surface dressing being used or the failure to maintain/repair them.</i></p> <p><i>Likewise, as a volunteer with the BHS, I can say that the BHS would also be delighted to meet with any landowner that might want to discuss an access project or improvement. Both the BHS and CBS have a limited amount of funds, that could on application, be</i></p>	<p>Confirmed that the section of the bridleway north of the forest down Irton Fell is outside FE's ownership so any surface repairs required there would probably be for the LDNPA unless the landowner or other private use has caused damage. Ranger for West area copied into reply to make them aware of this.</p> <p>Confirmed that we will remind FE that they are responsible for reinstating the bridleway after the works to a condition at least as accessible for users as it was beforehand.</p> <p>Thanked CBS for offer to discuss or meet with FE regarding surfacing works / treatments they could use (ideally prior to their works) which would be appropriate for equestrian use, and the help and advice the CBS or BHS may be able to offer with this. Confirmed we will highlight that re-surfacing of the bridleway with jagged stone would not be appropriate if this would make a previously usable route unsuitable for horses then we would have to treat this as an obstruction.</p> <p>Confirmed we will ask FE if they could clarify what other public access is available here (beyond the standard pedestrian open access), and whether the forest roads are (or could be made) accessible to equestrian users – and highlight that the BHS / CBS would be happy to discuss this further with them too.</p>

	<i>made available to fund some small scale works.</i>	
Interested member of public	<p><i>Having walked this route a couple of years ago I found it in a terrible state and wouldn't have wanted to negotiate this on a horse.</i></p> <p><i>In my experience of the forestry work done in Broughton Moor forest, the BWs were obliterated and new tracks really opened up again by cyclists forcing their way through, sometimes by passing fallen trees.</i></p> <p><i>I think we should ask for a commitment at the end of the work for them to re instate the BW in a suitable condition to be used by all and maybe also allow use of the forest tracks created.</i></p>	Confirmed that we will highlight to FE the requirement to reinstate the bridleway to a suitable standard after the works and that as far as possible it would be better that they avoided damaging the bridleway surface or leaving it obstructed in the first place.

13 Summary and Recommendations

13.1 I recommend that we make a TTRO prohibiting all traffic from proceeding over the affected section of bridleway 411010 during the works period. It would be unreasonable to not allow a closure to enable the felling which is in line with FE's forest plan, and there will be significant hazards present during the works. A closure will allow FE to carry out these works efficiently and without causing a danger to the public. It is unfortunate that there is no suitable alternative available, but we will ensure site notices are suitably located to make the public aware of the closure. We will impress upon FE the need to reinstate the bridleway to a suitable standard as soon as possible on completion of the works.

Authorised by:


 Ranger Team Leader
 Date: 4 September 2025

Background Papers Case file 1410.003 (284)
 Author: William Hinchliffe, Rights of Way Officer
 Date Written: 29 August 2025
 Version Final