

**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).

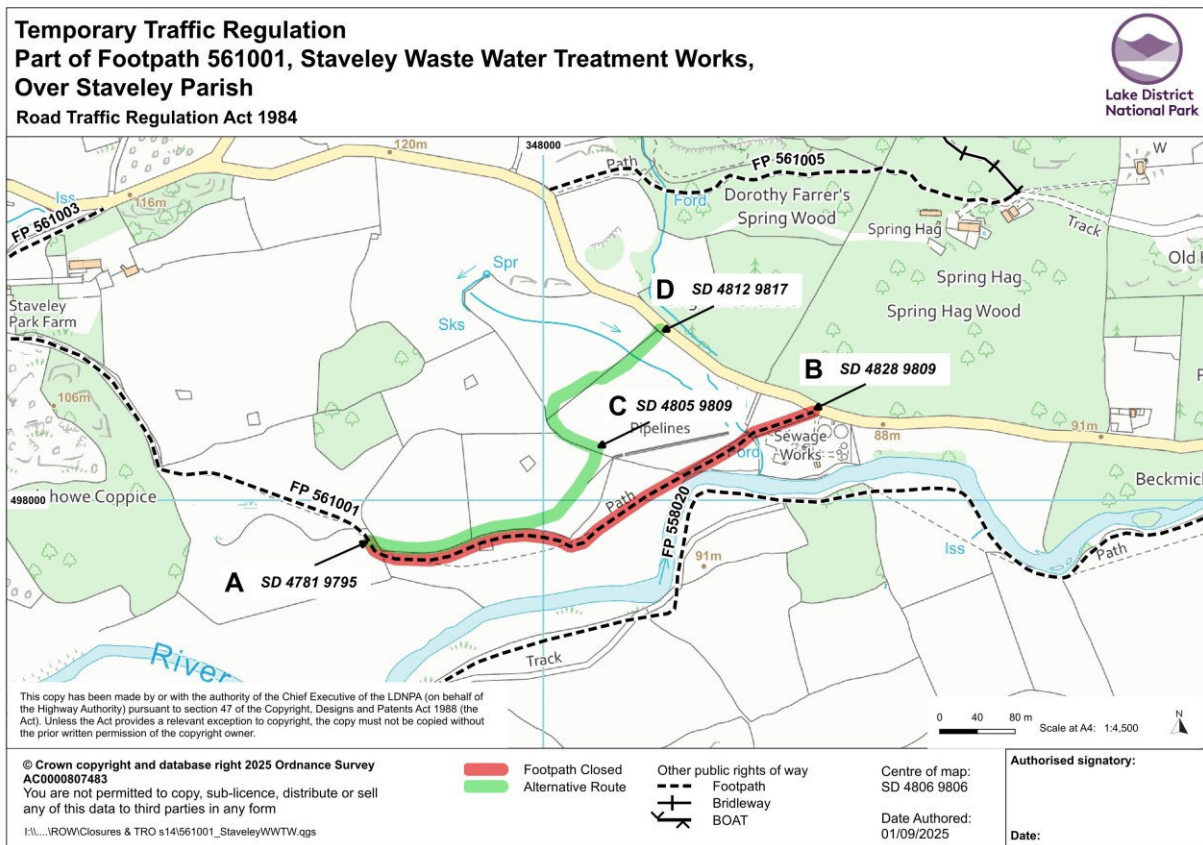
Lead Director	Steve Ratcliffe, Director of Sustainable Development	
Subject of Decision	<b>TEMPORARY TRAFFIC REGULATION ORDER, FOOTPATH 561001, STAVELEY WASTE WATER TREATMENT WORKS, OVER STAVELEY PARISH</b>	
Relevant section of Scheme of Delegation	<p><b>PART 4 - DELEGATION OF FUNCTIONS TO OFFICERS</b>  <b>ANNEX 4</b> - Functions delegated to Head of Ranger &amp; Strategy Service (and exercisable by the Head of Ranger Service as that post has ceased to exist), and sub-delegated to Ranger Team Leaders.  <b>Rights of Way and Access Matters</b>                  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 Westmorland and Furness 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	United Utilities (UU) and their contractors have made an application for a temporary closure of part of footpath 561001, to enable works to be undertaken to install a new sewage pipeline. An alternative route will be available during these works, though this will be less convenient than the footpath. It is anticipated that the works period is likely to be around 12 months, and therefore an extension of the Order will be necessary.	
Details of Decision	<b><i>That we make a Temporary Traffic Regulation Order for part of footpath 561001, as shown between Points A and B on the plan.</i></b>	
Details of alternative options considered and rejected.	<ul style="list-style-type: none"> <li>• Not making the order</li> </ul>	
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	8 October 2025	
Authorising officer	Steve Tatlock, Southern Ranger Team Leader	

## TEMPORARY TRAFFIC REGULATION ORDER, FOOTPATH 561001, STAVELEY WASTE WATER TREATMENT WORKS, OVER STAVELEY PARISH

### 1 Summary

1.1 This report recommends the temporary prohibition of all traffic over part of footpath 561001 to enable the installation of a new sewage pipeline between Staveley Waste Water Treatment Works (WWTW) and the village to be undertaken safely and efficiently.

**Recommendation:** *That we make a Temporary Traffic Regulation Order for part of footpath 561001, as shown between Points A and B on the plan.*



**Map 1: Location Plan**

## **2 Details of Request**

- 2.1 United Utilities' (UU) contractor has submitted an application for a temporary closure of part of footpath 561001 in the vicinity of Staveley WWTW as shown between points A and B on the plan. The closure would be in place whilst UU and their contractors install a new sewage pipeline from the village to the WWTW and carry out upgrades to the treatment works itself. The footpath crosses the pipeline at two locations; just southeast of point A, and close to the WWTW. The affected section of the footpath (approximately 525 metres in length) is also within the construction easement at either end – UU intend that a 30 metre wide strip along the pipeline will be fenced off whilst the project is underway and this will physically obstruct the footpath.
- 2.2 During the closure heavy machinery and vehicles will be in use to install the pipeline, creating hazards for the public if access were maintained and there will be excavations / trenching along the closed section. Maintaining public access would also have a significant impact on the efficiency with which the works could be undertaken.
- 2.3 It is anticipated that works affecting the footpath will begin in November 2025, and that their duration is likely to be approximately 12 months. It is therefore almost certain that we would need to seek an extension of the Order from the Secretary of State (we can only make the Order for an initial period of six months).
- 2.4 An alternative route (particularly necessary here given the popular nature of this path and expected duration of the closure) is being made available as depicted between points A-C-D on the plan – passing through adjacent fields and meeting the road to the northwest of the footpath (where a field gate is already present with a reasonable sized verge before joining the road). This route has been agreed by UU with the landowner. Our Ranger has inspected the alternative route and highlighted a couple of locations where works will be required prior to the order coming into effect (replacement of a gate just east of point A, and a gate to be installed in the vicinity of point C) in order to make the alternative route suitable. The contractors have been provided with our gate specifications. A slight adjustment of the originally proposed alternative route has been agreed to avoid the more reedy / boggy patches within the fields through which the alternative route passes. Despite this the alternative will still not be as convenient or easy to use as the footpath – but it does appear the most suitable alternative which can be made available. Signage will be erected to make the public aware of the closure, with additional directional signage for the alternative route.

## **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 section 2. A closure of the footpath will allow UU and their contractors to carry out their planned works safely and efficiently. It appears it will be necessary for us to apply for an extension beyond the initial six-month duration of the Order.

## 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. Westmorland and Furness 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 United Utilities' contractors. The costs for processing the anticipated extension of the Order (£220, plus cost of one newspaper advert) will also be met by United Utilities or their contractors.

## 8 Risk

- 8.1 The major risk associated with this is if we do not make an order for the reasons detailed in 2.2 - there would be significant risks to users of the footpath from machinery and vehicle movements during the works, and hazardous open excavations within the construction easement.

## **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 Westmorland and Furness 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**

- 12.1 We carried out a public consultation with interested bodies and individuals including Westmorland and Furness Council (the Highway Authority), the Parish Council, Local Access Forum and various user groups.
- 12.2 We received the one following response from the Open Spaces Society (OSS):

*Many thanks for consulting the Open Spaces Society on this proposed temporary closure order. We have, in recent months, walked this path.*

*On the face of the proposal with the offer of an alternative route, subject to the undertaking of path furniture works identified by your colleague, looks satisfactory.*

*However, we wonder if the proposed works may offer other opportunities. These will depend upon the longer-term future for the sewage works which we are unsure whether or not they are fully compliant with discharge standards and the consequent quality of water in the River Kent SSSI. Will UUpLc be undertaking further works at this WWTW? If so what is the time frame and what effect will this have on PROW network.*

*In considering the context of fp 561001 we would argue:*

*a) the links with footpaths to the east, [575032] through Beck Mickle woods (Woodland Trust site) reaches the road some distance from your point B although you can walk further through the wood on a permissive path and this reduces your total road walking distance. Whilst this road is not heavily used by vehicles walkers have to be constantly aware of cycle usage with the various poor sightline. There is a need to consider future better links with this PROW.*

*b) people walking from the north on 561005 have also some road walking to undertake to join the path under consideration [561001].*

*c) the line of 561001 between the sewage works and Staveley Park farm whilst reasonable underfoot takes you away from the river and would offer greater benefit stop walkers.*


*There is also, a planning issue, of the mess immediately west of your point B. Can we please ask you to ascertain whether or not UUplc intend to do further works at Staveley WWTW and, if so, over what time period? Any such works are certain to have an impact of the PROW network here but also offer opportunities to better site 561001 nearer the river by the existing site of the works.*

*That all said, should the works go ahead as an individual scheme then we can see little option but to accept the valued offer of an alternative route on this very well used PROW.*

- 12.3 In response we confirmed that UU had previously raised the possibility of a (permanent) diversion of this footpath as they were considering extending the overall area of the WWTW, but they have since confirmed that all their planned development of the site will be within the existing boundary. I confirmed that our understanding is that these works are intended to reduce the frequency of discharges and address sewer flooding – but for a more detailed explanation of the works it would be best to request this from UU directly. I confirmed that in our email correspondence with UU / contractors they have stated that the whole project is anticipated to be complete by May 2027, though in their TTRO application the works requiring closure of the footpath were estimated at around 12 months.

## **13 Summary and Recommendations**

- 13.1 I recommend that we make a TTRO prohibiting all traffic from proceeding over the affected section of footpath 561001 during the works period (subject to UU and their contractors completing the works required to make the alternative route usable). It would be unreasonable to not allow a closure to enable these works to install a new sewage pipeline and upgrade the WWTW, and there will be significant hazards present during the works. A closure should allow UU and their contractors to carry out these works efficiently and without causing a danger to the public. An alternative route will be available, and although less convenient than the footpath, it appears the best available option to retain public access during the works period.

Authorised by:  
  
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Ranger Team Leader  
Date: 15 October 2025

Background Papers	Case file 1410.003 (286)
Author:	William Hinchliffe, Rights of Way Officer
Date Written:	8 October 2025
Version	Final