

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, PART OF FOOTPATH 345049 / 369026, WALLTHWAITE FARM, MATTERDALE AND THRELKELD PARISHES	
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 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	<p>The beams of the bridge over Mosedale Beck just west of Wallthwaite Farm are rotting, the structure is currently supported with props but the longer-term solution is to replace the bridge. The bridge carries a public footpath but is also used by farm vehicles and its replacement will therefore be undertaken by the landowner. There would be significant hazards to the public during the works if access were maintained, and no physical way of crossing the beck at this location. There will be no suitable nearby alternative crossing the beck whilst works are underway.</p>	
Details of Decision	<p><i>That we issue a Temporary Traffic Regulation Order over part of Footpath 345049 / 369026, namely the section over the bridge and its approaches shown on the plan within the report.</i></p>	
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 (283)	
Date of Report	15 August 2025	
Authorising officer	Head of Rangers – Steve Gaskell	

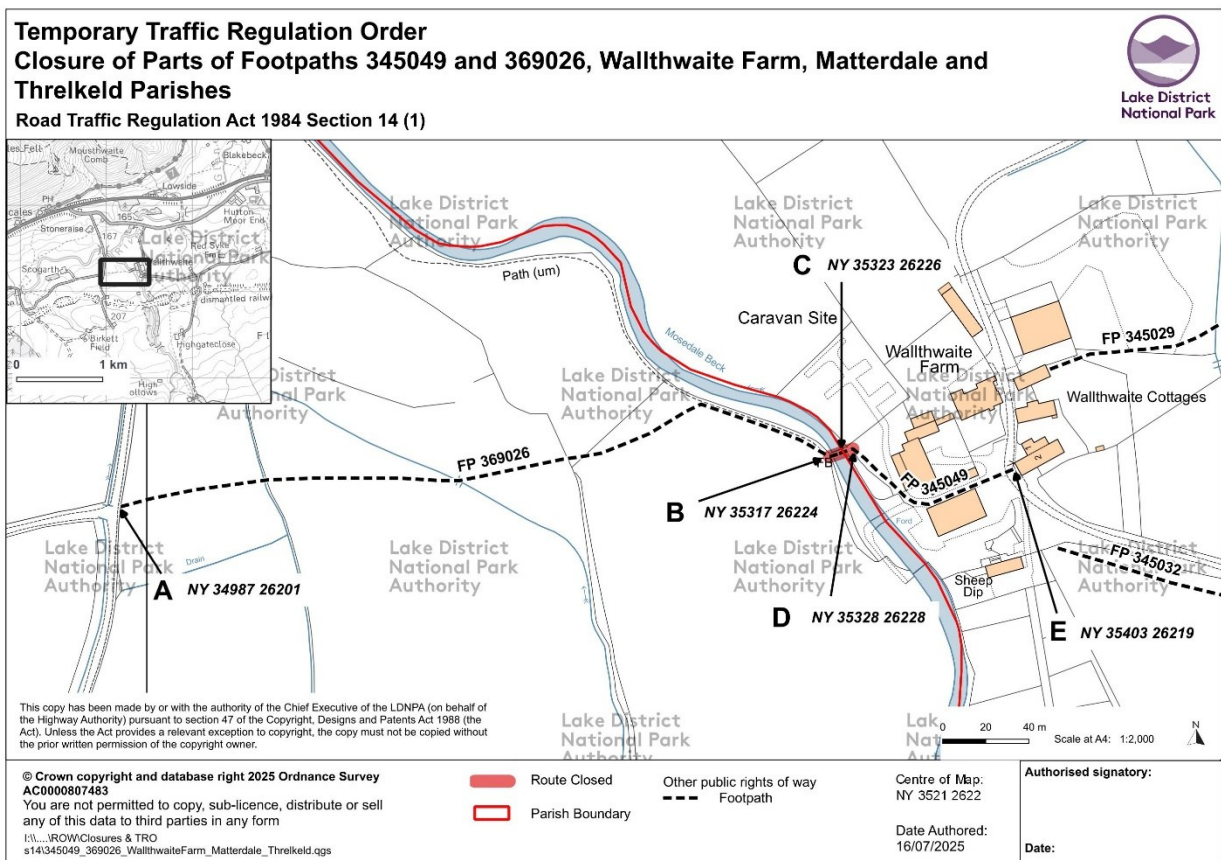
TEMPORARY TRAFFIC REGULATION ORDER, PART OF FOOTPATH 345049 / 369026, WALLTHWAITE FARM, MATTERDALE AND THRELKELD PARISHES

1 Summary

1.1 This report recommends the temporary prohibition of all traffic over the bridge across Mosedale Beck just west of Wallthwaite Farm whilst replacement works are underway.

Recommendation: *That we issue a Temporary Traffic Regulation Order over part of Footpath 345049 / 369026, namely the section over the bridge and its approaches shown on the plan below*

Map 1: Location Plan



2 Details of Request

- 2.1 The beams of the bridge over Mosedale Beck just to the west of Wallthwaite Farm at NY 3532 2622 are showing signs of rot. The bridge is crossed by footpath 345049 / 369026 (the beck forms the parish boundary). The bridge is of a wide design and acrow props have been put in place to support the structure due to its use by tractors and other farm vehicles (we have no immediate concerns regarding its pedestrian use), but this is not a long-term solution and the bridge requires replacement. The landowner has agreed that they will therefore undertake the replacement of the bridge, with a contribution from the National Park Authority commensurate to our costs for a standard footpath bridge. They intend to carry out the replacement of the bridge in September.
- 2.2 When works begin the existing bridge will be completely removed and from this point on there will be no safe way for path users to cross the beck – the abutments are high and the beck is too wide and deep to be safely fordable. There is no suitable point to site a temporary bridge. Additionally, during the works heavy machinery will be in use, presenting hazards to the public if access were maintained. A closure will allow the works to be undertaken safely and efficiently, minimising the duration of disruption for the public.
- 2.3 Although an order may last up to six months, we would expect a bridge replacement such as this only to take a few weeks – depending on the weather and any other issues encountered. The order would remain in effect only until the bridge replacement was complete and the path made safe for public use again. Signage will be erected at either end of the footpath (points A and E on the plan) to make approaching path users aware of the closure.
- 2.4 Unfortunately there is no suitable nearby direct alternative crossing the beck, depending on individual routes alternatives are possible using the surrounding road and rights of way network.
- 2.5 A couple of photos of the bridge are included below for context:





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. This will allow the replacement of the bridge to go ahead safely and efficiently. Disruption to the public will be reduced as much as possible by erection of site notices to inform them of the closure and the order will remain in effect only whilst the replacement is underway.

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 cost of a temporary closure Order is approximately £1,060 (which covers staff-time, stationery and postage) plus the cost of two newspaper adverts. Our Ranger has agreed with the landowner that we will make a contribution to the replacement of the bridge commensurate to what we would have to spend on a standard pedestrian footbridge, with the owner carrying out the works and meeting the rest of the costs for a bridge design which will allow their continued vehicular use. As a closure for the bridge replacement would be necessary to maintain public footpath access even if we installed just a footbridge as a replacement, it appears appropriate that we meet all the costs for the closure order from existing budgets and our own time.

8 Risk

8.1 The major risk associated with this is if we do not make the order. If the replacement were not undertaken soon there would be an increasing risk of the bridge becoming unsafe and posing a hazard to footpath users. The closure will allow works to replace the bridge to be undertaken safely and efficiently, as explained in Section 2.

9 Legal Considerations

- 9.1 The relevant grounds for restricting or prohibiting traffic on this path is within section 14(1) or (2) of the Road Traffic Regulation Act 1984; namely to enable works to be executed on or near the path.
- 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 technician. 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

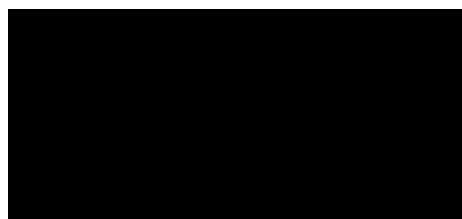
- 12.1 We carried out a consultation with potentially interested bodies and individuals including the Highway Authority – Westmorland and Furness Council, the Parish Council and user groups. We received just the one following response:

Consultee	Comment
Open Spaces Society	<i>Many thanks for consulting the OSS - a Hobson's Choice problem.</i>
	<i>Obviously we hope the work is completed as soon as is practicable. For now we note the position.</i>

13 Summary and Recommendations

- 13.1 This bridge is in poor condition and requires replacement to remain safe for public use. Due to the private vehicular use of the bridge the arrangement which has been agreed by our Ranger for its replacement appears logical – with a contribution from us matching what we would have to spend on a pedestrian footbridge, and the owner meeting the rest of the bridge cost and carrying out the works. As detailed in Section 2 it would be difficult to undertake the replacement safely or efficiently whilst maintaining public access, and there will be no physical crossing possible during the works. As there is no suitable alternative route it is in everyone's interest that the bridge is replaced as efficiently as possible. This request for a closure therefore appears reasonable in my view and I recommend that we make the required order.

Authorised by:



Steve Gaskell
Head of Rangers

Date: 15 August 2025

Background Papers Case file 1410.003 (283)
Author: Will Hinchliffe, Rights of Way Officer
Date Written: 13 August 2025
Version: Final