

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).

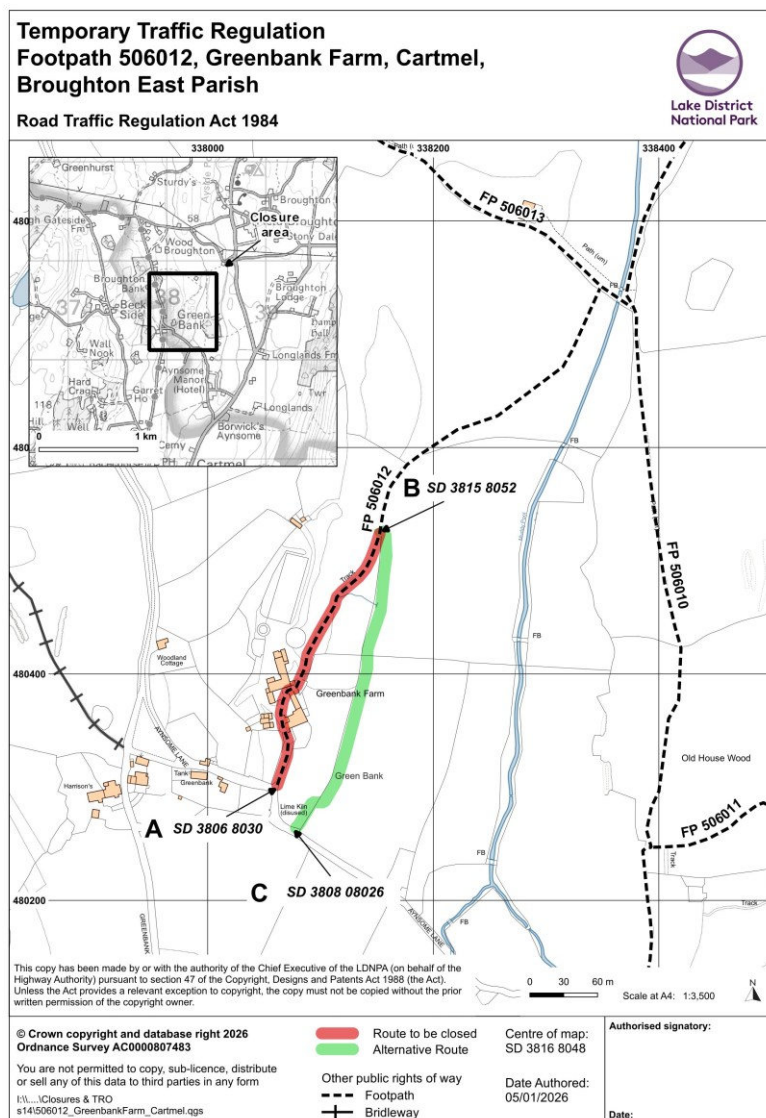
Lead Director	Steve Ratcliffe, Director of Sustainable Development	
Subject of Decision	TEMPORARY TRAFFIC REGULATION NOTICE AND ORDER, FOOTPATH 506012, GREENBANK FARM, CARTMEL, BROUGHTON EAST PARISH	
Relevant section of Scheme of Delegation	<p>PART 4 - DELEGATION OF FUNCTIONS TO OFFICERS ANNEX 4 - Functions delegated to Head of Ranger & Strategy Service, and 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	A barn immediately adjacent to Footpath 506012 is unstable, and a Structural Engineer has assessed that there is a risk of imminent collapse, presenting a significant risk to footpath users. The owner has requested a temporary closure of the footpath until the building can be made safe.	
Details of Decision	<i>That we issue a Temporary Traffic Regulation Notice over Footpath 506012 due to the likelihood of danger from building collapse, and that if necessary we either issue a second Notice (if it appears likely remedial works to make the structure safe will be complete within this timeframe), or convert the Notice to an Order if it appears the works will require a longer closure period.</i>	
Details of alternative options considered and rejected.	<ul style="list-style-type: none"> • Not issuing a Notice 	
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	Will Hinchliffe, Rights of Way Officer	
Background Papers	Case file 1410.003 (290)	
Date of Report	5 January 2026	
Authorising officer	Steve Tatlock, Ranger Team Leader	
Date	5 January 2026	

TEMPORARY TRAFFIC REGULATION NOTICE AND ORDER, FOOTPATH 506012, GREENBANK FARM, CARTMEL, BROUGHTON EAST PARISH

1 Summary

1.1 This report recommends the temporary prohibition of traffic over part of Footpath 506012 (between points A and B) as there appears a likelihood of danger to the public due to the potential for an unstable barn immediately alongside the footpath to collapse. Due to the likelihood that it will not be possible to sufficiently mitigate the risk within 21 days, it is also recommended that in due course we either issue a second Notice, or convert the Notice to an Order (whichever appears most expedient).

Recommendation: *That we issue a Temporary Traffic Regulation Notice over Footpath 506012 due to the likelihood of danger from building collapse, and that if necessary we either issue a second Notice (if it appears likely remedial works to make the structure safe will be complete within this timeframe), or convert the Notice to an Order if it appears the works will require a longer closure period.*



2 Details of Request

- 2.1 We have been contacted by the owner of Greenbank Farm near Cartmel who has requested the temporary closure of Footpath 506012. The footpath passes through the farmyard and through a passage at the northeast corner of the yard between a shippen barn and stable barn (this passage was previously roofed). It has been identified that structural movement of the stable barn building has taken place in the immediate vicinity of the footpath. The buildings at the property are of considerable age, the farmhouse and cottage are Grade 2 Listed Buildings dating from at least the 17th Century.
- 2.2 The stonework of the stable barn has been assessed by building contractors and a structural engineer and they have concluded that there is a risk that the barn may collapse imminently, which would present a significant risk and likelihood of danger to anyone on the footpath. The owner has provided a report from a Loss Adjuster following their engineer's inspection of the barn. The issues appear to have stemmed from a lean-to internal dividing wall which has caused ongoing movement and destabilisation of the structure, exacerbated by a lack of mortar. A large visible crack has opened up near the corner of the barn (visible in photos provided by the owner – see Appendix A). It appears the earthquakes which occurred on 3 and 19 December 2025 appear to have revealed the issues (though the engineer has highlighted that the issues were pre-existing).
- 2.3 The owner has therefore requested a temporary closure of the footpath. Remedial works are scheduled to begin on 5 January 2026 with scaffolding to be erected (on the footpath). It is anticipated that the works will involve bringing down three internal walls and the southeast corner of the barn (the corner which the footpath passes) and then rebuilding them. The roof will also need to be supported during this process.
- 2.4 An early estimate is that the works may take around 12 weeks. The works will require use of lime mortar – which may push back the schedule because it is not recommended to apply lime mortars at times when the temperature may fall below 5°C. A closure due to the likelihood of danger may last up to 21 days. It therefore appears likely that there will be a need to issue a further Notice, or convert the Notice to an Order. The owner has been asked to discuss the footpath closure with their contractors, specifically as to whether the scaffolding and initial works may be able to make the structure safe to the degree that the footpath (or a sufficient part of its width to enable passage) could be made available again to avoid the need for the footpath to remain closed for the whole period of the remedial works.
- 2.5 The owner has suggested an alternative route which begins from Aynsome Lane (a short distance along the road from the end point of the footpath) and passes through fields to the east of the property and rejoins the footpath north of the property, as shown on the plan between points B and C.
- 2.6 Site notices will be displayed at either end of the footpath, and at the end of the closed section (point B on the plan) where it meets the alternative route. We will also erect directional signage to aid path users with following the alternative route. The owner has confirmed they will discuss with their contractors any fencing or other measures necessary to prevent walkers continuing on the dangerous section of the footpath whilst the closure is in effect.

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) Issue the Notice
 - b) Do not issue the Notice

If option a) is authorised then consideration can also be given to:

- c) If the building cannot be made safe within 21 days, a further Notice to be issued, or the Notice converted to an Order, depending on the likely timescale for remedial works

5 Proposal

- 5.1 I recommend options 4.1a and 4.1c for the reasons outlined in sections 2 and 8. Currently there appears to be a significant likelihood of danger to the public due to the potential for collapse of the barn. It appears unlikely that it will be possible for works to progress to the point that the likelihood of danger will have been removed within the 21 day period of a first Notice – and that therefore a second Notice, or conversion of the Notice to an Order will be necessary. An alternative route will be made available and signed.

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 notices and Orders is not a **competitive** procedure. Westmorland and Furness Council can also process temporary closure notices and Orders, but we are the best placed organisation to make this notice.
 - 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 Notice are approximately £340 which covers staff-time, stationery and postage. In this instance it is likely that a second Notice or conversion to an Order (approximately, £1,060 plus the cost of one advert) will be necessary. As this situation has come about unexpectedly and the applicant has been prompt in reporting the potential danger to the public to us, I would recommend we consider waiving some of the costs of the full process. In this instance I would propose that if a second Notice or an Order is required, then the costs of the latter work be waived up to the value of the Notice fee (that is – we charge for the first Notice as normal – but reduce the amount of the charge for a second Notice or Order process by the equivalent sum).

8 Risk

- 8.1 The major risk associated with this is if we do not issue the Notice. There would be a significant likelihood of danger to footpath users if the barn building were to collapse or shed masonry on to the right of way. The building has undergone structural movement and an engineer has concluded that there is a risk of imminent collapse.
- 8.2 Once works begin to address the structural issues scaffolding will be erected within the footpath and there will be hazards associated with these works including an ongoing risk of structural collapse, machinery use and movement of materials on the right of way, risk of materials being dropped from the scaffolding and the use of lime mortar.

9 Legal Considerations

- 9.1 The relevant grounds for restricting or prohibiting traffic on this path is within section 14(1)(b) and 14(2) of the Road Traffic Regulation Act 1984; namely because of the likelihood of danger to the public. Such a Notice can last for 21 days. If the likelihood of danger remains beyond that time we may issue a further notice, or convert the notice to an Order.
- 9.2 The Head of Strategy & Ranger Service has delegated powers to authorise the issuing of Notices and 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. These have been sub-delegated to the Ranger Team Leaders.

10 Human Resources


- 10.1 The initial work involved in this proposal is approximately nine hours from members of the Ranger Service. The work involved is part of our day-to-day duties, and much of it has already been undertaken. Issuing a second notice, or conversion of the notice to an Order will entail further work by the Ranger Service, GIS technician and Authority Solicitor.

11 Sustainability

- 11.1 I have not identified any significant environmental, economic or social effects that will affect sustainability due to this temporary closure.

12 Consultation

- 12.1 There is no requirement to consult upon issuing a Notice. We will notify the usual interested bodies and individuals including Westmorland and Furness Council (the Highway Authority), the Parish Council, Local Access Forum and various user groups.

Authorised by:  Steve Tatlock, Ranger Team Leader Date...5 January 2026.....

Background Papers

Author:

Date Written:

Version

Case file 1410.003 (290)

Will Hinchliffe, Rights of Way Officer

5 January 2026

FINAL

Appendix A: Images provided by the owner

View of the barn from the footpath facing westwards – the footpath passes between the two buildings. A large crack can be seen in the masonry of the first storey -



View eastwards along the footpath between barns -



Internal view of the corner of the barn – the crack can again be seen -

