Progress on Rights of Way Cases and Delegated Matters
Quarter 2 (July-September) 2025-2026

1 Summary

1.1 This briefing paper is for information only, and to provide updates on matters previously authorised by the Rights of Way Committee or through delegated powers, together with updates on other legal casework carried out.

Recommendation that:	**Members note the progress.**

2 Policy Context

2.1 The key aim for access and rights of way within the Lake District National Park Partnership's Plan is to enhance the quality and diversity of the visitor's experience. The Authority is performing a statutory function under powers delegated to it by Cumberland Council and Westmorland & Furness Council.

2.2 One of our activities is to ensure that our work effectively improves, promotes, and enhances the quality of the rights of way and countryside access land in ways that meet the needs and preferences of users and in ways that sustainably benefit the local economy and delivers wider social benefits. This fundamental management of the rights of way network includes legal orders and authorising changes.

3 Background

3.1 Under our scheme of delegation some matters are determined by Members at Rights of Way Committee meetings, whilst others are determined by the Head of Strategy & Ranger Service or sub-delegated to Ranger Team Leaders and reported to members. The last such report was in July 2025.

3.2 Annex 1 attached to this report details rights of way decisions made under the Authority's Scheme of Delegation so far during 2025-2026.

3.3 The tables in the annex detail the following:

Table 1	Gates & stiles authorised by Head of Service
Table 2	Temporary traffic regulation orders authorised by Head of Service
Table 3	Uncompleted cases authorised at previous committee meetings
Table 4	Cases considered at previous committee meetings now completed
Table 5	Orders and agreements authorised by the Head of Service
Table 6	Outstanding Definitive Map Modification Order Applications
Table 7	Current Higher Priority Public Path Order Cases
Table 8	Motor Event Consents issued by Head of Service
Table 9	Open Access Authorisations and Decisions

3.4 Our current capacity for casework is 1.8 FTE. In addition to this we have accessed funding from Natural England to employ a part-time outside consultant to help with the legal work required for the Coast-to-Coast National Trail establishment.

4 Gates and Stiles – see Annex 1: Table 1

4.1 New gates and/or stiles can be erected across rights of way where they are considered necessary in the interests of agriculture or forestry - but these must be authorised by us. Table 1 shows those approved this year – just one so far this year.

5 Temporary Closure of Public Footpaths, Bridleways and Byways – Table 2

5.1 Temporary traffic regulation orders (TTRO) or notices (TTRN) are for closing paths for up to six months for various purposes, usually relating to public safety or works. Table 2 details those authorised – again about an average number

5.2 In line with government guidance, we charge external bodies for processing their requests, consequently many are cost neutral (this doesn't apply to ones relating to maintenance carried out by ourselves – such as bridge replacements).

6 Definitive Map Modification Orders, Public Path Orders and Creation Agreements – Tables 3-7

6.1 All modification orders are determined by the Rights of Way Committee.

- We now have 35 outstanding applications that have not yet been to committee (no change), and three further (post-committee) uncompleted cases - two are with the Secretary of State.

6.2 Public path orders and creation agreements are authorised by the Head of Service / Ranger Team Leaders where no substantive representation / objections are received during the informal consultation process. If no objections are then received after the order has been made, it is confirmed. Our delegation scheme is that the Head of Service / Ranger Team Leaders also have powers to decide whether to forward the matter to the Secretary of State unless formal substantive representations have been made, in which case the decision reverts to this Committee.

6.3 Although few actual public path orders have been authorised yet this year, a couple are in the pipeline - and it's important to note that we have carried out a lot of work on consultations and considerations of applications or requests – which have then led to the applicants withdrawing their applications (or not proceeding) following our advice.

6.4 The establishment of the Coast-to-Coast Path National Trail requires the local authorities to carry out various pieces of legal work to ensure that the trail has secure access in perpetuity. The remaining casework within the Lake District is listed separately within Table 7, this is coming to a close now.

6.5 Our Access & Recreation Programme Board are considering adding the legal casework to the Risk Register, and a paper has been prepared for this.

7 Consents issued under section 33 Highways Act 1980 – Table 8

7.1 We are able to grant consent for motor events to take place on public rights of way, and we do so for a number of events after imposing conditions such as signage and marshalling. Table 8 lists consents issued – just one so far this year.

8 Authorisations and decisions taken in relation to open access land – Table 9.

8.1 As the Relevant Authority and Access Authority for open access land designated under the Countryside and Rights of Way Act 2000, we are able to determine restriction applications and authorise entering into agreements relating to furniture improvements. We have not had to determine any for some while.

9 Publication

9.1 The Openness of Local Government Bodies Regulations 2014 requires us to keep, and publish on our website, a written record of certain decisions made under some delegated powers. The decisions taken, and the reasoning for these decisions (authorising reports or letters), for items listed in Tables 1, 2, 5, 8, and 9 are available on a dedicated area of our website www.lakedistrict.gov.uk/visiting/thingstodo/rowupdates/row-delegated-decisions.

9.2 Decisions taken at committee (Tables 3 and 4) are also already available on the committee pages on the website www.lakedistrict.gov.uk/aboutus/committee-meetings-calendar.

Background Papers:	Rights of Way case files
Author:	Nick Thorne, Senior Rights of Way Officer
Responsible Director:	Stephen Ratcliffe, Sustainable Development
Date Written:	10 September 2025

****All entries or sentences in italics denote entries or activity since last update (July 2025)****

TABLE 1: Gates & stiles authorised under delegated powers so far in 2025-2026

Parish	Right of Way	Location / Grid Reference	Type of Obstruction and reason
Lakes (Grasmere)	BW 542010	New Bridge, Grasmere – NY 3275 0825	3-metre field gate to prevent stock ingress along bottleneck section of bridleway. Gate should be kept open when stock are not in adjoining field.

TABLE 2: Temporary traffic regulation orders authorised under delegated powers so far in 2025-2026

Parish	Right of Way	Location	Type	Reason
Kirkby Ireleth	539017 & 539018	Far Houses	Order – 6 months from May 2025	Structural repair and tree removal works at deserted farmstead to make it safe
Ennerdale and Kinniside	407028	Galloway Bridge, Woundell Beck	Order	To enable replacement of bridge
Mungrisdale	348013	Bannerdale	Notice, converted to Order, June 2025	Danger due to erosion of riverside footpath
Tebay	367009	Roundthwaite Beck	Notice – 5 days	To enable replacement of bridge
Matterdale & Threlkeld	345049 / 369026	Wallthwaite Farm	Order – 6 months, but only for a short period within that time	To enable replacement of bridge
Patterdale	357059	Glenridding Beck	Notice – 5 days	To enable replacement of bridge
Irton with Santon	411010	Miterdale Forest	Order	To enable forestry extraction works
Buttermere and Brackenthwaite	220050	Lakeshore Path	Notice – 21 Days x 2	Rockfall causing potential danger to public using footpath beneath until fully surveyed.

TABLE 3: Uncompleted cases authorised at previous Rights of Way Committee meetings (in order of decision date).

Parish	Right of Way	Location	Type of Order	Month of Committee	Reason	Current position (progress since last committee meeting in italics)
Threlkeld	New footpath	Above Doddick	Modification	**Aug 2007**	Addition of footpath.	Order made Sept 2007, objections – users contacted about inquiry. Little response.
Bassenthwaite	206003	Holly Bank	Modification	**April 2013**	Modify alignment where path goes over edge of quarry.	Objection received. Deregulation Act may provide a solution through 'Modification Consent Order' when finally in force.
Blindbothel	n/a	High Rogerscale	Creation	**April 2013**	Addition of bridleway – Committee recommended reconsulting on footpath.	Delayed due to capacity and other priorities.
Broughton West	520070 520071	Occupation Lane	Modification	**August 2022**	Addition of two bridleways	Orders made – objection(s) received. Public Inquiry to be held – 13 January 2026.
Gosforth / Wasdale	New	River Irt	Modification	**January 2023**	Claimed footpath alongside and over River Irt	Order made - objections received. *Public Inquiry now cancelled – written representations process adopted*.
Shap Rural and Bampton	306004 & 361039	Naddle Bridge, Thornthwaite Hall & High Park	Diversion	**April 2025**	Coast-to-Coast Path	Order made – no objections. Practical work required before confirmation.

TABLE 4B: Cases considered at previous Rights of Way Committee meetings completed to date so far in 2025-2026

Parish	Right of Way	Location	Order Type	Month of Committee	Reason	Current position (progress since last committee meeting in italics)
Grasmere, etc	*Various*	*White Moss to Grasmere*	*Creation*	***October 2014***	*Upgrade footpaths to bridleways.*	*July committee agreed not to pursue final link*
Lindale & Newton-in-Cartmel	*New*	*The Gill to School Hill via Churchyard*	*Modification*	***December 2024***	*Claimed Footpath*	*Bridleway and Footpath DMMO confirmed April 2024 – paperwork and certifications to complete.*

TABLE 5: Public path orders and agreements authorised under delegated powers so far in 2025-2026

Parish	Right of Way	Location	Order Type	Reason
Underbarrow & Bradleyfield	*FP 577022*	*Fallen Yew*	*Diversion*	*Development works obstructed legal line – diversion onto new track*
Bampton and Shap Rural	*306004 / 361039*	*Naddle Bridge*	*Diversion*	*Confirmation following previous committee decision*
Shap Rural	*361038 / 361050*	*Shap Abbey*	*Diversion and Creation*	*Public Path Order needed to ensure that Wainwright's Coast to Coast National Trail follows a legal Public Right of Way for its entire length*
St Johns and Borrowdale	*212021 249041*	*Grasmere to Borrowdale – whole length*	*Diversions to walked line and to newly flagged path.*	*Order made – no objections received as yet.*

TABLE 6: Outstanding Definitive Map Modification Order Applications (yet to come to Rights of Way Committee)

Parish	Right of Way	Location	Date of application	Effect of application	Current position
Lakes: Rydal	544023	Rydal Park	Aug 2004	Claimed bridleway, mainly over existing footpath	Acknowledged. No action yet.
Hawkshead	529023	Yewfield - Rose Cottage	May 2004	Claimed bridleway over existing footpath	Acknowledged. No action yet.
Hawkshead & Coniston	512 & 529 - 6 paths	Tarn Hows circuit	Dec 2005	Claimed bridleway over existing footpath Tarn Hows circuit	Acknowledged. No action yet.
Colton Satterthwaite	511084 56032	Parkamoor - Satterthwaite	Dec 2005	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
Colton Satterthwaite	511084 566031	Parkamoor - Grizedale	Dec 2005	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic

Coniston Satterthwaite	512066 566030	Monk Coniston - Grizedale	Dec 2005	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
Dunnerdale with Seathwaite	521057	Park Head Road	Dec 2005	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
Lakes:Langdales	543045	Baysbrown to Langdale Rd	Feb 2006	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
Satterthwaite	566034	Force Forge	Dec 2005	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
St John's Castlerigg	249007	Church to Sosgill Bridge	Jan 2006	Claimed byway over existing bridleway	Acknowledged. Applicants confirmed will accept Restricted Byway rather than Byway Open to All Traffic
Lakes: Langdale	New	Scout Crag	May 2007	Claimed footpath	Acknowledged. No challenge to usage yet.
Strickland Roger	New	Gurnal Dubs Road	Sept 2019	Claimed footpath	Added to Register Jan 2020. To contact landowners.
Bampton	New	Bampton Smithy	April 2020	Claimed footpath	Added to Register July 2020. No action yet.
Shap Rural	New	Lindens	April 2020	Claimed bridleway	Added to Register July 2020. No action yet.
Shap Rural	New	Hegdale	April 2020	Claimed bridleway	Added to Register July 2020. No action yet.
Crook	New	Box Tree Farm	April 2020	Claimed footpath	Added to Register July 2020. No action yet.
Crook	New	St Catherine's	April 2020	Claimed footpath	Added to Register July 2020. No action yet.
Underbarrow & Bradleyfield	New	Beckside	April 2020	Claimed footpath	Added to Register July 2020. No action yet.
Underbarrow & Bradleyfield	577021	Nook Lane	April 2020	Claimed restricted byway – partly over existing footpath	Added to Register July 2020. No action yet.
Crosthwaite & Lyth	514016	Holmes & Savinhill Roads	April 2020	Claimed Right of way (no status specified) – part already recorded as footpath	Added to Register July 2020. No action yet.
Crosthwaite & Lyth	New	Holmes Lane	April 2020	Claimed bridleway	Added to Register July 2020. No action yet.

Helsington	New	Dobdale Road	May 2021	Claimed footpath	Added to Register May 2021. No action yet.
Whitwell & Selside	New	Leagate	May 2021	Claimed bridleway	Added to Register May 2021. No action yet.
Lowther	342006 and new	Parkside Lane	Dec 2021	Claimed Restricted Byway, partly over recorded footpath	Added to Register Feb 2022. Application provided to landowner - awaiting response.
Lowther Thrimby	New - part 342003	Hackthorpe Old Turnpike	Dec 2021	Claimed Restricted Byway	Added to Register Feb 2022. Application provided to landowner - awaiting response.
Waberthwaite	428003	Corney Moor Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. No action yet.
Waberthwaite	428003 428023	Ravenglass Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. No action yet.
Waberthwaite Bootle	428027 402009	Middleton Place Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. No action yet.
Irton-with-Santon	411029 411033 411034	Irton Moorside Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. Some landowners have been in touch and information exchanged.
Eskdale	408018	Smithybrow Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. No action yet.
Bootle	402009 402029	Long Lane	Jan 2022	Claimed Restricted Byway over recorded footpath	Added to Register Feb 2022. No action yet.
Waberthwaite	428019	Newbiggin Lane	Dec 2023	Claimed Restricted Byway over recorded footpath	Added to Register Dec 2023. No action yet.
Irton-with-Santon	New	Frith's Path	Feb 2024	Claimed footpath	Added to Register Feb 2024. Some contact with some landowners.
Irton-with-Santon	New	Plumgarth	Feb 2024	Claimed footpath	Added to Register Feb 2024. Some contact with some landowners.
Caldbeck	221009 221059	Nether Row to The Street	May 2024	Modify footpaths to restricted byway	Added to Register October 2024. No action yet.

TABLE 7: Active Cases not already referred to in Table 3 (we have many known issues and cases – these are the ones we are actively working on at present, or have high/medium priority but are currently on hold)

Parish	Right of Way	Location	Details	Brief Notes
Shap Rural	Various	Wet Sleddale Packhorse Bridge & Sleddale Hall	A number of permitted bridleways and CROW footpaths could be converted to bridleways.	Part of United Utilities / Sustainable Catchment Management Programme project. In staff work programmes for 2025-26.
Torver	576009	Carr Lane	Community project - to upgrade FP to BW.	Awaiting details from Parish Council – recontacted 2025.
Gosforth	Various	Bleng Forest	Community led project to create 8km new bridleways, and two new bridges.	Forestry England recently agreed proposals internally – *Funding obtained* to repair bridges before progressing.
Millom Without	416007/009 416014	Boadhole	BW & FP - confusion over status and alignments. Order made, objection received from landowner.	Delayed – lower priority than other issues.
Askham	305011	Askham Hall Farm	Footpath obstructed in yard.	Site visit April 2025 – awaiting responses from landowner.
Lamplugh	New	Cogra Moss	Creation of new bridleway and upgrade of footpath to bridleway to create a circular limited mobility path around the tarn.	Practical works by Forestry England completed. *Creation Agreement being discussed with United Utilities.*
Whinfell	FP & BW	Alongside Borrow Beck	Potential diversion of bridleway which is likely to be further undercut in near future	Path closed at present whilst investigations as to solutions are underway.
Lakes: Grasmere	New	Riverside Path	Adoption of current permitted path	Ongoing discussions with partners.
Colton	New	Great Knott Wood	New bridleway as part of West Windermere Way	Discussing with landowners.
Shap Rural	FP 361035	Swindale Foot	River changed course, fields permanently flooded, diversion needed.	Agreed on site visit with users and consultees - awaiting bridge details.
Above Derwent	FP 201023	Newlands Beck	Path eroded into river – diversion required.	Informed landowner of intention to divert. Insufficient funding to carry out required works to make it happen. Ongoing discussions. *Meeting being arranged with Cumberland Council*

Threlkeld	New	Setmabanning & Birkett Mire	FiPL (Farming in Protected Landscapes) proposal to upgrade old railway track – also connected to Keswick-Threlkeld extension.	In discussions with landowners.
Underbarrow	577022	Fallen Yew	Development over footpath – needs to be diverted.	*Order made – no objections, confirmed September 2025*
Wasdale	408054	Greendale Gill	Relic from the Fix the Fells Project that was omitted from confirmation. Needs confirming.	Submitted to Secretary of State for confirmation.
Colton	New	The Brows	Landowners offering new footpath as part of FiPL project.	*Agreement with landowners to sign and return.*
Muncaster	418036	Edgecombe House	*Mapping error from 1976 shows path in wrong property – DMMO required (not an application, so it is in this table)*	*Report with this Committee*
Patterdale	New	Glenridding Dodd	Improvements to fell path funded by Ramblers on condition we make it a right of way.	To be authorised and agreement entered into.
Barton with Pooley Bridge	307006	Seat Farm	Landowner has constructed garden and hot tub over FP and signed a new route.	Landowner applied for diversion – consultations complete, considering responses.
Coniston	512021	Heathwaite	Definitive line probably not original route, but cannot determine what is original route and landowner would like currently used route recognised.	*Report at July Committee – Order made – awaiting representation period.*
St John's Castlerigg & Wythburn	249056	Bridge End Farm	Barn given consent to be built over definitive line.	Site visits held – will need a diversion.
Matterdale and Patterdale	New	Aira Force to Glenridding	Possible conversion of permitted path (Ullswater Way) to public footpath.	In discussions with landowner, costing up works.

Coast-to-Coast Legal Casework

Ennerdale	New	Nannycatch & Scarny Brow	Creation of new footpath/bridleway	*Gate installed, agreement signed, sealed and published – now a bridleway (1.8km).*
St Johns and Borrowdale	212021 249041	Grasmere to Borrowdale – whole length	Diversions to walked line and to newly flagged path.	*Order made – no objections received as yet.*
Shap Rural	361038	Shap Abbey northwards	Diversion to avoid bog and to align walked path with definitive route.	*Order made – no objections received as yet.*
Shap Rural and Bampton	306004 & 361039	Naddle Bridge, Thornthwaite Hall & High Park	Diversion (two parts) – committee decision April 2024.	Order made – no objections. Practical work required before confirmation.

TABLE 8: Motor Events on public rights of way authorised under delegated powers in 2025-2026

Event	Date of event	Location	Organisers	Nature of Event
Grizedale Stages Rally	*December 2025*	*Grizedale*	*Grizedale Stages Rally*	*Annual major stages rally*
Malcolm Wilson Rally	*March 2026*	*Grizedale, Whinlatter & Wythop*	*Malcolm Wilson Rally*	*Large-scale race*

TABLE 9: Open Access Authorisations and Restrictions decided under delegated powers

Parish	Location / Grid Reference	Issue
None so far		