



The Openness of Local Government Bodies Regulations 2014

These require that officers keep and publish 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).

Temporary Traffic Regulation, Central and Southeast Area Bridge Works, Lakes (Rydal and Loughrigg) and Hugill Parishes

Relevant section of Scheme of Delegation

PART 4 - DELEGATION OF FUNCTIONS TO OFFICERS - ANNEX 4 - Functions delegated to Head of Ranger 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 the Planning Acts.

Background

This report discusses temporary closures of public rights of way affected by planned works on three bridges over the Summer of 2026

Details of Decision

We make Temporary Traffic Regulation Orders (or if appropriate issue Temporary Traffic Regulation Notices) temporarily closing the public rights of way over the affected bridges and their approaches, to enable works to be carried out safely and efficiently.

Details of alternative options considered and rejected

Do not make any temporary closures

Where a decision is made under an express authorisation, names of any Member(s) who have declared a conflict of interest

None

Lead Director	Steve Ratcliffe, Director of Sustainable Development
Author and contact details of report	Will Hinchliffe, Rights of Way Officer
Background Papers	Case file 1410.003.295 / 296 / 297
Date of Report	20 May 2026
Authorising officer	Steve Tatlock Ranger Team Leader (South)
Date	21 May 2026



Lake District
National Park

TEMPORARY TRAFFIC REGULATION, CENTRAL AND SOUTHEAST AREA BRIDGE WORKS, LAKES (RYDAL AND LOUGHRIGG) AND HUGILL PARISHES

Summary

1. This report recommends the temporary prohibition of all traffic over affected public rights of way during planned works on three bridges over the Summer of 2026.

Recommendation that:

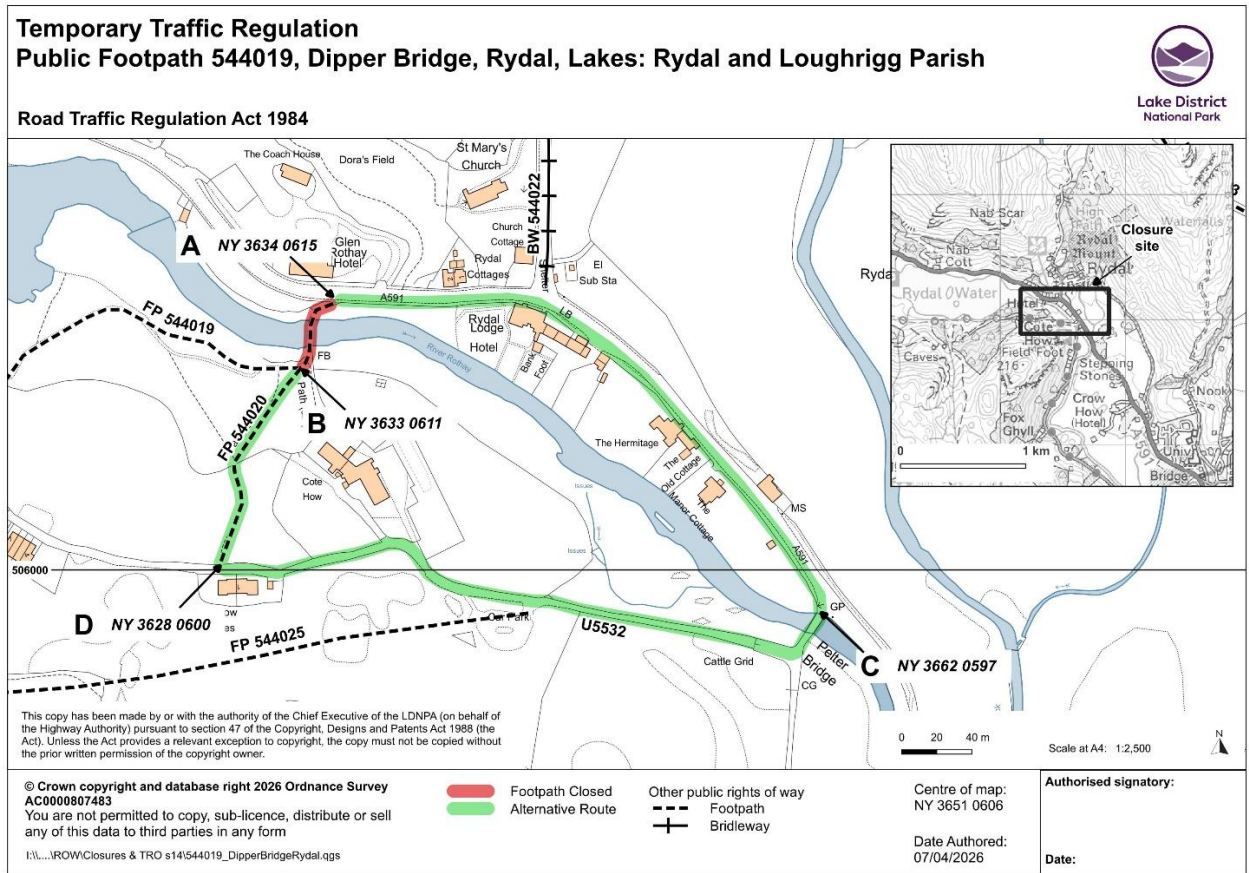
We make Temporary Traffic Regulation Orders (or if appropriate issue Temporary Traffic Regulation Notices) temporarily closing the public rights of way over the affected bridges and their approaches, to enable works to be carried out safely and efficiently, as shown on the plans.

Background

2. Our Ranger team intend to replace substantial sections of three bridges this Summer, as shown in Plans 1 – 3 below. To enable these works to be undertaken safely and efficiently it appears necessary to temporarily close the public rights of way crossing them. Further detail regarding each of the proposed closures is outlined below.

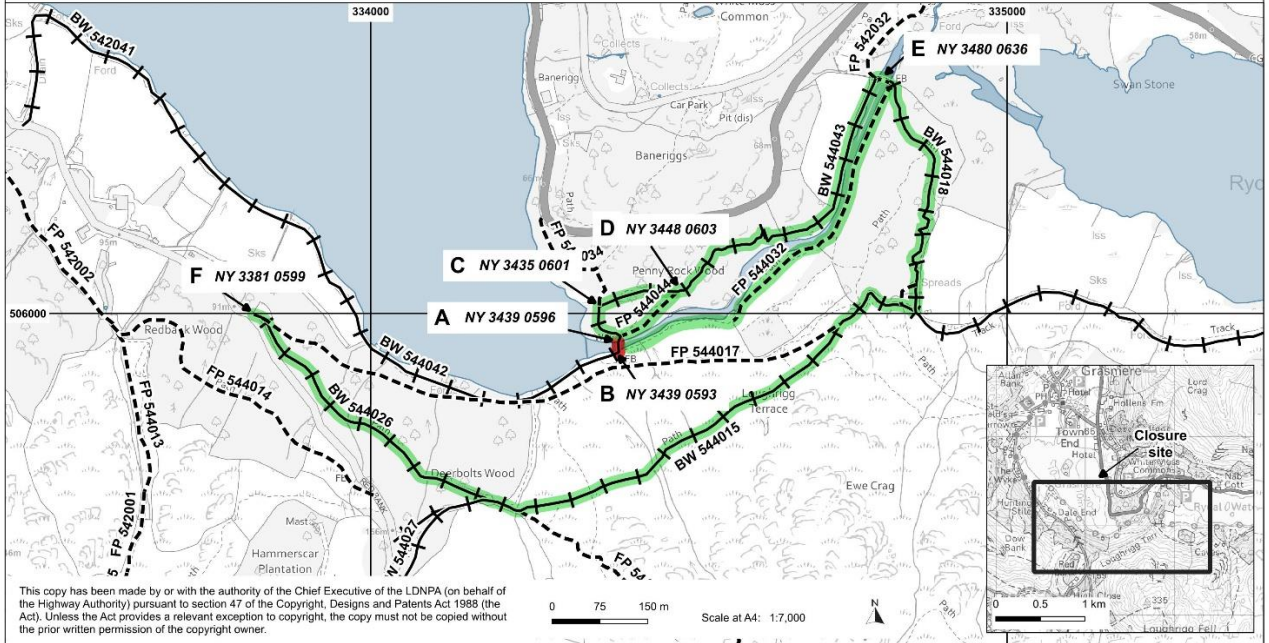
Location Plans

Plan 1 – Footpath 544019, Dipper Bridge, Rydal



Plan 2 – Bridleways 544042 and 544043, Grasmere Outfall (Penny Rock) Bridge

Temporary Traffic Regulation
Bridleways 544042 and 544043, Grasmere Outfall Bridge, Lakes: Rydal and Loughrigg Parish
 Road Traffic Regulation Act 1984



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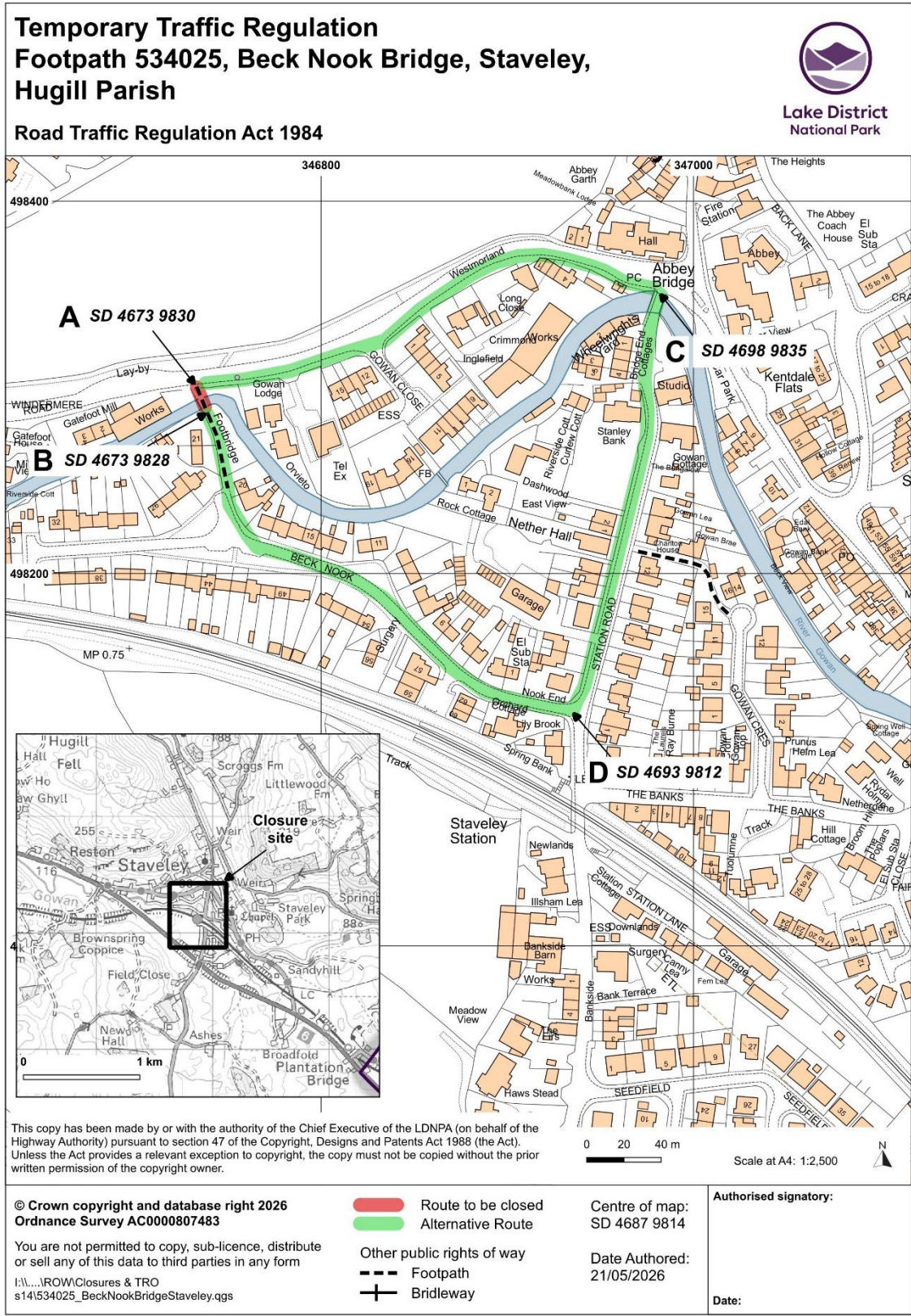
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- Route Closed
- Alternative Route
- Other public rights of way
- Footpath
- Bridleway

Centre of map:
 NY 3441 0598
 Date Authored:
 14/04/2026

Authorised signatory:
 Date:

Plan 3 – Footpath 534025, Beck Nook Bridge, Staveley



Footpath 544019, Dipper (Badger Bar) Bridge, Rydal, Lakes (Rydal and Loughrigg) Parish

3. The deckboards and timber nailing strips on this bridge have deteriorated significantly and require replacement. On 7 May 2026 we were forwarded a social media post regarding a mounted horse putting its hoof through a deckboard on the bridge. Our Ranger team attended on 8 May and replaced two failed deckboards. Although this bridge is only constructed to a suitable specification for pedestrians (its expected use given this being a footpath), this incident does highlight the worsening condition of the bridge deck. The rest of the superstructure has been inspected and is considered to be in good condition with no major defects.

4. The works are scheduled to last a week sometime between mid-June and the end of September. During the works it will not be possible for the public to safely use the bridge, and the width of the River Rothay here (approximately 21 metres) is too wide to accommodate a temporary bridge. An alternative route will be available during the works using the pavement alongside the A591, crossing Pelter Bridge then along the U5532 and Footpath 544020 (points A-C-D-B on Plan 1).

Bridleways 544042 / 544043, Grasmere Outfall Bridge (also known as Penny Rock Bridge), Lakes (Rydal and Loughrigg) Parish

5. Last year we entered an agreement with the landowner to create a bridleway over this bridge. The existing structure does not meet the required loading specifications for bridleway use and therefore we plan to replace the bridge structure, incorporating additional beams and higher parapets. The new structure will be installed on the existing piers. Sections of the bridge will be replaced sequentially across the river, scaffolding will be installed for staff, but this will not be suitable for public use. The works are anticipated to take less than two weeks sometime between mid-June and the end of September. Given the popularity of this bridge we hope to have a volunteer on site to inform the public of the works and where they can safely cross the river. For pedestrians the most direct alternative route is shown via points A-D-E-B on

Plan 2; using the public rights of way and open access land along the riverbanks to cross the Rothay via White Moss Bridge. For equestrian users and cyclists a route via points A-C-D-E-F can be used along the northern side of the river to the White Moss ford then along the Loughrigg Terrace bridleway to the Red Bank road (U5523).

Footpath 534025, Beck Nook, Staveley (Hugill Parish)

6. The decking of this bridge is rotten and requires replacement. We generally try to avoid closing paths for works during school holidays, however, this bridge is used by some pupils and parents to reach the local primary school - we are therefore aiming to replace the bridge during the school summer holidays (most likely in August). Hopefully taking under a week. There is insufficient room to install a temporary bridge and whilst the decking is being replaced it will not be possible to safely use the bridge. An alternative route is possible using the pavements along Windermere Road, Station Road and Beck Nook (points A-C-D-B on Plan 3).

Policy context

Links to Vision and Management Plan

7. 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.

Links to Business Plan

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

Options

9. The options are to:
 - a) Make Temporary Traffic Regulation Orders or if appropriate issue Temporary Traffic Regulation Notices temporarily closing the affected sections of public rights of way to enable the bridge works
 - b) Do not make any temporary closures

Proposals

10. I recommend option 9a for the reasons set out in the Background and Risk sections. Closure of these public rights of way will enable our Ranger team to carry out necessary bridge / decking replacement works. The bridges will not be practically or safely usable during the works, and any public use during these periods would interfere with the efficiency of the work. There are no suitable sites for temporary bridges, or fords, in the immediate vicinity of the affected rights of way, but alternatives will be available as shown on the plans. We will also discuss with our Communications team any additional awareness-raising which could be undertaken regarding these closures, as suggested in the Open Spaces Society's consultation response (see Stakeholder Consultation section).

Stakeholder consultation

11. We have carried out a consultation with interested bodies and individuals, including Westmorland and Furness Council (the Highway Authority), the relevant Parish Councils, Local Access Forum and various user groups.
12. We received the following response:

Name of stakeholder	Consultation response and LDNPA Comments
Open Spaces Society	Many thanks for consulting the Open Spaces Society prior to issuing the proposed TCOs.

We note in all three you are offering alternative routes, and whilst these have some problems, we note they are the best that can be suggested. We acknowledge that providing adjacent temporary bridges alongside these sites for the duration of the works is impracticable.

We note the local importance as to the use of 534025 Staveley and we accept the best possible solution is being suggested despite the issues inherent in the alternative route. We trust the work will be done as expeditiously as possible.

With regard to 544019 and 544052/544053 we note these are very heavily used routes by visitors and that the closure time will impact on the summer peak of usage. However, these days there is no quiet time for such schedule such works and we accept that there is no suitable time to schedule the works. We therefore do not have any problem with your proposed TCOs in this respect.

However, there are two related issues which we would raise with you.

FP 544052/544053 and, possibly, 544019 are on registered common land. We do not think the proposed works on 544019 will need a s38 application. However, you are asked to confirm whether or not the proposed works for the bw bridge at 544052/544053 do need a s38 Common Act, 2006 application. Seeing your received legal advice on this matter would be appreciated.

Secondly can we ask that the npa inform all relevant outdoor magazines, Radio Cumbria, CTB, appropriate web sites and kindred bodies in advance of the closure to ensure maximum

publicity to enable walkers and bw users in good time to adjust their route planning?

Obviously we wish the teams well with the work and hope it can be accomplished within the proposed time scales.

LDNPA response and follow-up - Addressing the points raised in reverse – confirmed we can ask our Comms team to approach local and outdoor media / organisations regarding the temporary closures, along with posting about the temporary closures on our own media channels, to raise awareness of the closures and aid ROW users to plan their routes accordingly.

Confirmed that Dipper Bridge (544019) is not on Common land according to Natural England's mapping.

Grasmere outfall / Penny Rock bridge on BW 544042 / 544043 has been discussed with our Legal Advisor.

The Interpretation section of the [Commons Act 2006](#) states that the definition of 'land' for the purposes of the Act includes land covered by water, so presumably the land forming the riverbed is part of the Common. The Act does not appear to consider whether land within a Common over which the common rights could not be exercised at a practical level is actually to be treated as Common Land (I'm not sure whether what is deemed to be Common Land, in a similar way to Highways, extends only so far above and below the surface as is necessary for it to perform its functions.

Section 38 of the [Commons Act 2006](#) requires any person to obtain consent to carry out 'restricted works' on Common land. 'Restricted works' are;

	<p><i>(a) works which have the effect of preventing or impeding access to or over any land to which this section applies;</i></p> <p><i>(b) works for the resurfacing of land.</i></p> <p>In my view the replacement of the bridge structure does not prevent or impede access to any land – the new bridge will be installed on the existing piers so the land on the riverbed will be unaffected. The bridge is a means of access over the river, so I don't think any works for its maintenance could be considered a new impediment to access, PINS Common Land guidance sheet 1B states, <i>'You should first consider whether the works you are proposing would have the effect of preventing or impeding access to or over the common. If they do not then, unless the works are for the resurfacing of land, they fall outside of the scope of the restricted works described in section 38 and no consent is needed. We recognise that deciding whether works are outside the scope of section 38 is not always straightforward and any works on common land that may need consent but do not have it may be challengeable through the courts'</i>. Similarly, the scaffolding the team will be using whilst the bridge replacement is underway will not impede access, as it will occupy an area of airspace which is currently inaccessible.</p> <p>I think the key point is that covered in PINS Common land guidance sheet 4 – <i>'The Secretary of State considers impeding access to include interfering with rights over the common, e.g. commoners' rights to graze livestock'</i> – I would not expect the proposed works to interfere with the rights practiced on the Common, or to form any impediment to access (other than the temporary unavailability of a means of access during the works, which are ultimately necessary to facilitate access).</p>
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	<p>The only potential aspect of these works which could perhaps constitute 'resurfacing of land' would appear to be the very slightly larger 'footprint' of the new bridge where it sits on its abutments. Even if this were considered to be re-surfacing, this will take up only a few square feet, my view would be that this sort of impact would readily fit under the category of works which PINS state do not need consent because they '<i>are so small or of such short duration that they do not impede access</i>', particularly as the abutments are already fairly well made up and of no utility for grazing.</p> <p>The OSS subsequently responded confirming their agreement that consent for these works under the Commons Act (2006) does not appear necessary.</p>
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Demonstrating best value

13. **Challenged** – the challenge is for us to effectively manage the network and inform the public of relevant issues.
14. **Compared** – 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.
15. **Consulted** – we have carried out the required consultations.
16. **Compete** – processing Temporary Traffic Regulation Orders (TTROs) / Notices (TTRNs) is not a competitive procedure. Westmorland and Furness Council can also process temporary closure Orders and Notices, but we are the best-placed organisation in this case.

Finance considerations

17. 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, and the costs of issuing a temporary closure Notice are approximately £340. For these proposals it has been possible for us to combine some aspects of the work for each closure already which will save on some of the usual costs, and this may also be possible with some of the remaining steps (for example combined newspaper adverts).
18. As this work is to enable us to carry out maintenance on the rights of way network, it is appropriate that we meet all the costs from existing budgets and our own time.

Risk

19. The major risk associated with this is if we do not close the affected public rights of way. It will not be possible for members of the public to safely cross the bridges whilst the works are underway. There will be additional hazards on the approaches due to the use of heavy machinery / equipment during the works, movement of materials, and for our staff in having to manage the approach of members of the public to the sites whilst carrying out the works.

Legal considerations

20. The relevant ground for prohibiting traffic on these rights of way is within Section 14 of the Road Traffic Regulation Act 1984; namely to enable works to be executed on or near the highway (Section 14 (1)).
21. The Head of Ranger Service has delegated powers to authorise the issue of Notices and the making of Orders for the temporary closure of paths under the provisions of Section 14 of the Road Traffic Regulation Act 1984. This has been sub-delegated to the Ranger Team Leaders.

Human resources

22. The legal / administrative work involved with these proposals is approximately 25 hours from members of the Ranger team, and 1.5 hours from the GIS Officer. The work involved is part of our day-to-day duties, and most of it has already been undertaken.

Diversity implications

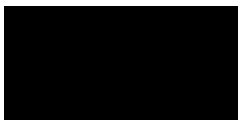
23. I have not identified any issues relating to diversity as a result of the making of a TTRO / TTRN, or a decision not to.

Sustainability

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

Authorisation

Authorised by:



Ranger Team Leader

Date: 21 May 2026

Background papers: Case file 1410.003 (295 / 296 / 297)
Author / Post: Will Hinchliffe, Rights of Way Officer
Responsible Director: Steve Ratcliffe, Director of Sustainable Development
Date written: 20 May 2026