



## 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 Order, Bridleway 201006 and Footpath 201044, Thornthwaite Forest and Beckstones Gill, Above Derwent Parish

### 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 Cumberland 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

We have received an application from Forestry England for a temporary closure of sections of Bridleway 201006 and Footpath 201044 whilst forest thinning operations are underway in the vicinity of these public rights of way.

## Details of Decision

To make an Order temporarily closing affected public rights of way whilst forestry works are underway.

## Details of alternative options considered and rejected

Not to make an Order.

## 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 1410.003.294
Date of Report	14 April 2026
Authorising officer	Ranger Team Leader Meeting
Date	16 April 2026



Lake District  
National Park

# **TEMPORARY TRAFFIC REGULATION ORDER, BRIDLEWAY 201006 AND FOOTPATH 201044, THORNTHWAITE FOREST AND BECKSTONES GILL, ABOVE DERWENT PARISH**

## **Summary**

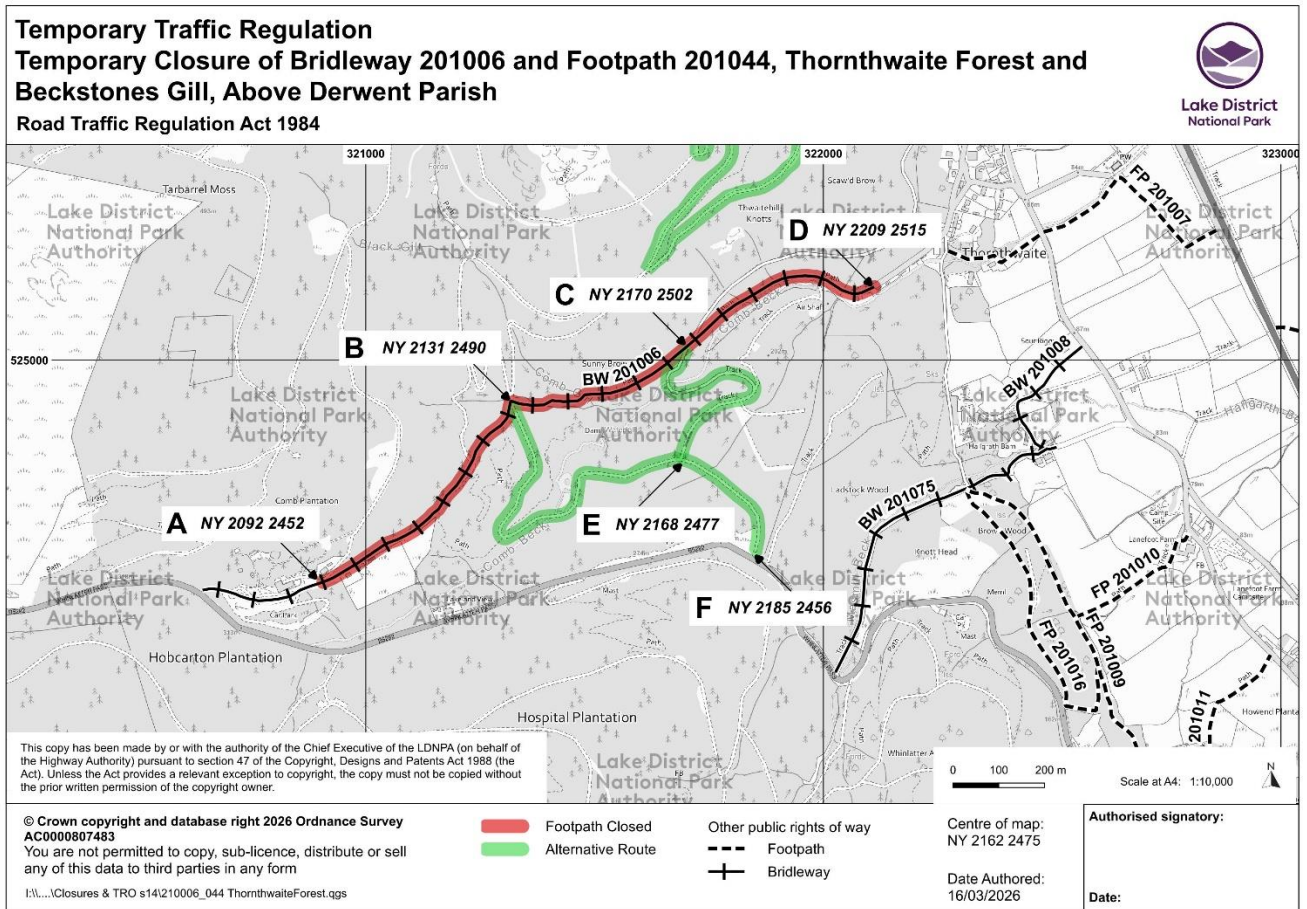
1. This report recommends the temporary prohibition of all traffic over public rights of way at Thornthwaite Forest and Beckstones Gill which will be affected by forest thinning operations.

## **Recommendation that:**

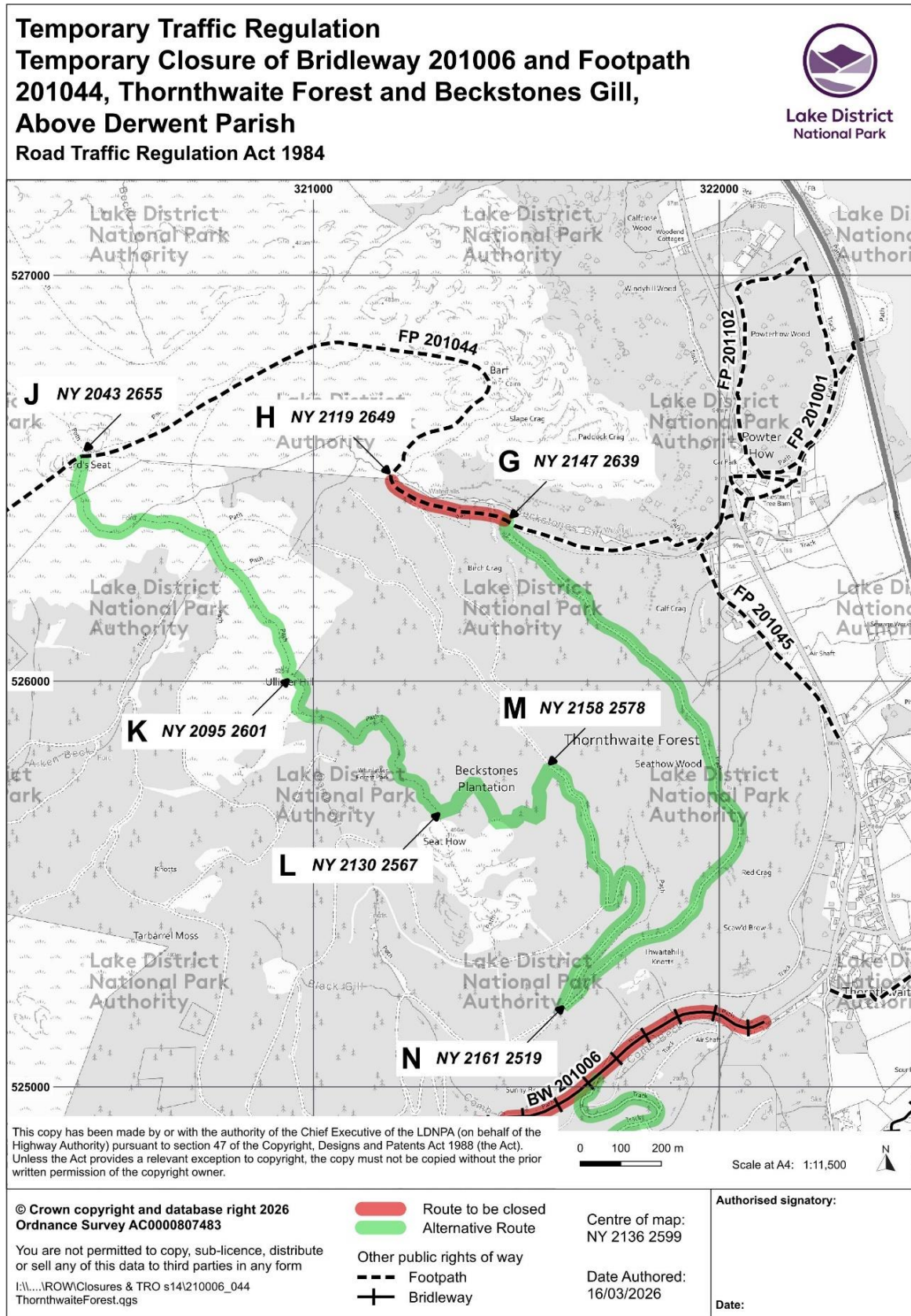
**We make a Temporary Traffic Regulation Order temporarily closing bridleway 201006 and footpath 201044 whilst forestry works are underway, to be in effect for six months, or until the works are complete, if earlier, but only in force on the individual paths when they are affected by the works.**

## Location Plans

### Plan 1 – Bridleway 201006, Thornthwaite Forest



**Plan 2 – Footpath 201044, Beckstones Gill**



## Background

2. We have received an application from Forestry England (FE) for temporary closures of bridleway 201006 (Thornthwaite Forest) and footpath 201044 (Beckstones Gill) whilst thinning works are undertaken at Whinlatter Forest. The works will involve tree felling, extraction and processing using large forestry machinery, including on and in the immediate vicinity of these public rights of way.
3. In June 2025 we met with FE to discuss these works and the impact on bridleway 201006. To enable extraction FE are intending to widen a section of the bridleway, this will require breaking up areas of rock at the side of the path using excavators and moving stone with dumper trucks, then carrying out resurfacing works. During the site visit we emphasised the requirements for FE and their contractors to reinstate the surface to a condition as easy to use (or better) as previously on completion of the works. It appears that this widening will have some impact on the character of this bridleway (currently sections of it are exposed bedrock, and the rest a relatively ‘unimproved’ forest path). The finished surface will be raised and appear more built-up – but should be no less easy to use.
4. The rights of way will be within defined exclusion zones for safe use of the machinery used for the thinning works. This means that the planned works could not acceptably be undertaken without a temporary closure. Additionally, approximately half of the thinning is taking place on steep ground where there is an increased risk of dislodged rocks or timber debris rolling or bouncing across the rights of way. The forest roads (including sections of the bridleway) will be used by extraction machinery, in places these are not wide enough for rights of way users to pass the machinery / vehicles safely.
5. The comments received from the Open Spaces Society (OSS) to our consultation, and concurred with by the Local Access Forum, expressed dissatisfaction with the need to close PRoW to carry out these works. I

responded that when considering TTROs we do generally need to accept that if works are part of the Forest Plan for the relevant area (as in this case), and could not be carried out in a way which FE's risk assessment process concluded was acceptable whilst maintaining public access (even if managed with bankspersons / signage etc.), then temporary restrictions will unfortunately sometimes be necessary. I highlighted that we would challenge FE (or any applicant for a closure) around the need for a closure (or its extent) if it appeared unnecessary. I also confirmed that we will continue to provide input on FE's future Forest Plan consultations and will encourage them to give consideration to ways that the impact of future felling on public access can be minimised (including planning in alternative routes and keeping intended extraction tracks separate from PRoW where possible, and re-planting being at a sufficient distance from PRoW to avoid the need for future closures).

6. The works affecting bridleway 201006 are expected to take approximately 16 weeks (anticipated to take place within a 6-month period starting from 15 May 2026). The OSS expressed concerns about the timing of these works potentially being over the busiest time of year. FE confirmed that they would do their best to fit the works around the school holidays, but couldn't offer any guarantees due to wildlife constraints, and their wider work programme. FE are keen to avoid these particular works taking place over the winter when daylight is more limited (due in part to the steepness of the terrain, including above Beckstones Gill, and that these are going to be thinning works rather than clear felling). The closure would not be in effect over the whole of the section of the bridleway between points A-B-C-D most of the time. When works are taking place towards the western end of the bridleway closure, a route via points D-C-E-F will be made available, when works are towards the eastern end of the closure, a route A-B-E-F will be available. However, at some times during the works the full extent of the closure will be in effect and there would be no suitable alternative available. FE and their contractors will erect additional signage to indicate the current situation throughout the works and which section(s) of the bridleway are unavailable at any given time.

7. The works affecting footpath 201044 alongside Beckstones Gill are expected to take up to 3 weeks (again at some time within the 6-month period from mid-May). As with bridleway 201006, additional signage will indicate when the closure is in effect, and the footpath will remain open at all other times. Whilst the closure is in effect the easiest to use, though very long, alternative route via Seat How, Ullister Hill and Lord's Seat using forest tracks and established paths / trods will be available and signed as shown between points G-N-M-L-K-J. Additional alternative routes are possible over access land outside the affected forestry areas, for example the 'direct route' ascent of Barf detailed in Wainwright's guide to the North Western Fells, though these routes traverse very steep and loose scree and so do not appear suitable to waymark footpath users to – Wainwright's description of this route was, 'Not a walk. A very stiff scramble'.
8. We have discussed signage requirements with FE, additional signage will be placed at key points to make users aware which parts of the public rights of way are closed at any given time. Signage will be erected both on the affected routes and alternatives, and at nearby likely start points for walks and rides in the area (FE Whinlatter visitor centre, Spout Force car park, Powter How car park). The order will cease to remain in force if the works are completed prior to its expiry.
9. FE are the Relevant Authority for open access land within forests and woodland – open access restrictions will be necessary for the areas affected during these works, which will also incorporate closure of the various (non-PRoW) FE created trails in the affected areas of the forest.

## Policy context

### Links to Vision and Management Plan

10. 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

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

### Options

12. The options are to:
  - a) Make a Temporary Traffic Regulation Order
  - b) Do not make an Order

### Proposals

13. I recommend option 12a for the reasons set out in the Background section. Closure of these public rights of way will enable FE to carry out the planned thinning works safely and efficiently. Refusing to make an Order would appear unreasonable given the clear hazards to users if the paths remained open whilst works were underway, and would effectively prevent FE carrying out the works in line with their Forest Plan.

### Stakeholder consultation

14. We have carried out a consultation with interested bodies and individuals, including Cumberland Council (the Highway Authority), the Parish Council, Local Access Forum and various user groups.
15. We received the following responses:

<b>Name of stakeholder</b>	<b>Consultation response</b>
Open Spaces Society	Many thanks for consulting the Open Spaces Society on this proposed TCO.

Things appear to get worse with FE and their felling. At one time it was give and take when any PROW was left open and nowadays it is, whilst understandable to a degree, the over-cautious approach. This TCO is especially worrying as the clear felling is taking place at the time of year when the usage of this area and the PRsOW is at its greatest and when any nesting birds are most likely to be disturbed.

We note that you say FE “anticipate” using their powers under CROW to stop open access to the area. If they don’t use them then the TCO could be ineffective as far as walkers are concerned. The alternative routes offered are hardly that.

Whilst it probably too late to avert this TCO I think it is passed the time when FE should, through their Forest Plans, ensure that future clear felling in such well used areas has minimal impact on forest users. This can be done by future forest road provision, if any, planning coupes that better respect the PROW and permitted routes that exist on the ground, and seeking to provide better alternative routes by planning them into the system. The replanting of areas near to PROW with long-term native species should be further considered. FE and other consultees may have other suggestions. We trust you will ask your colleagues who respond to FE and similar forest plan consultations to consider a helpful approach to access issues at the design stage.

The OSS express their strongest disapproval of the timing of this work and the length of the closure proposed.

I am copying this to Kevin at FE so he is aware of the strength of our feelings.

Local Access Forum	The Cumbria and Lakes Joint Local Access Forum agrees with the sentiments expressed by Ian Brodie on behalf of the OSS in its reply to this proposal. The closure is unavoidable and the alternative routes appear to be the most practical. However this closure will be met with considerable frustration and disappointment from users. A longer term alternative plan to avoid the worst of these affects on future access would be appreciated.
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## Demonstrating best value

16. **Challenged** – the challenge is for us to effectively manage the network and inform the public of relevant issues.
17. **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.
18. **Consulted** – we have carried out the required consultations.
19. **Compete** – processing Temporary Traffic Regulation Orders is not a competitive procedure. Cumberland Council can also process temporary closure Orders, but we are the best-placed organisation to make this order.

## Finance considerations

20. 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 Forestry England.

## Risk

21. The major risk associated with this is if we do not make an Order. As discussed in the Background section there would be potential hazards to

members of the public if the works were to take place without a temporary closure in effect. Making an order should minimise the risks arising due to FE's works by restricting the public's use of the route and putting signage in place to make users aware it is closed.

### **Legal considerations**

22. The relevant ground for prohibiting traffic on this path is within Section 14 of the Road Traffic Regulation Act 1984; namely to enable works to be executed on or near the path (Section 14 (1)).
23. 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**

24. 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.

### **Diversity implications**

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

### **Sustainability**

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

Authorised by:



Ranger Team Leader

Date: 17 April 2026

Background papers: Case file 1410.003 (294)

Author / Post: Will Hinchliffe, Rights of Way Officer

Responsible Director: Steve Ratcliffe, Director of Sustainable Development

Date written: 17 April 2026