



Lake District
National Park

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).

Diversion of part of Public Footpath 307006, Seat Farm, Barton 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 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

The landowner at Seat Farm has made an application for a diversion of footpath 307006, the current footpath runs just within the wall which encloses the curtilage of the property and is now obstructed where it previously passed through the wall, and by the furniture and landscaping of what is now a 'garden' area. The proposed diversion route follows the exterior of the wall and then heads across a field to rejoin the existing definitive line.

Details of Decision

To make an Order to divert part of public footpath 307006 at Seat Farm to the route shown between points A-D-C as shown on Plan 1 within the Authorisation Report.

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	Hanna Latty, Director of Sustainable Development
Author and contact details of report	Will Hinchliffe, Rights of Way Officer
Background Papers	Case file 1412.307.002
Date of Report	31 July 2026
Authorising officer	Ranger Team Leader
Date	17 August 2026



Diversion of Footpath 307006, Seat Farm, Barton and Pooley Bridge Parish

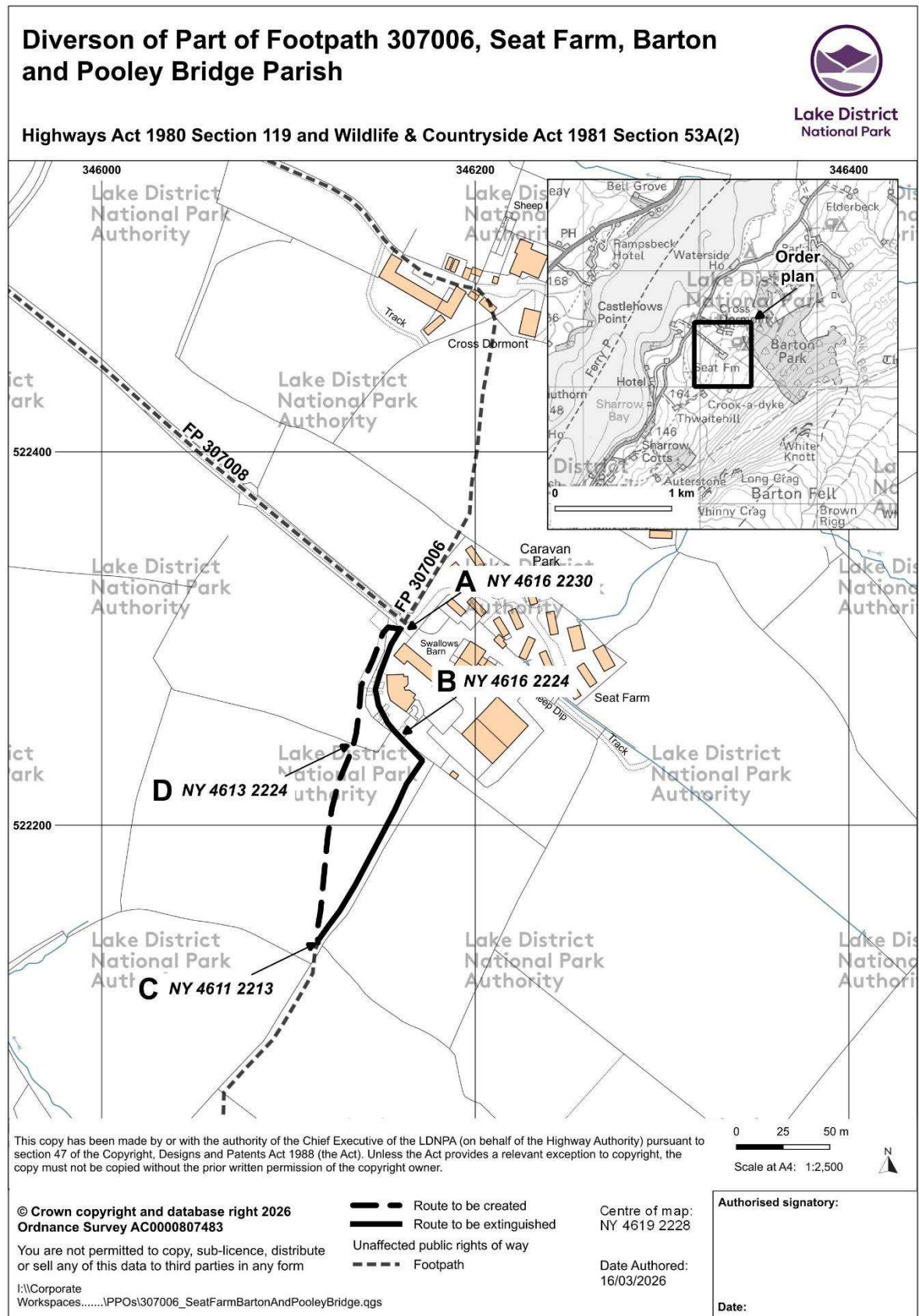
Summary

1. We have received an application from the owner of Seat Farm to divert part of Footpath 307006. This currently runs just within the wall enclosing the curtilage of the property. The wall has been reconstructed and the enclosed area landscaped as a garden area, with seating and decking obstructing the footpath. Much of the proposed diversion route has been physically surfaced by the owner already and runs outside the curtilage wall and across a field where it meets the existing footpath. Recent DEFRA guidance on diversion of public rights of way which pass through or in close proximity to domestic spaces states that we should be predisposed to make and confirm diversion orders in these settings, where the legislative tests are satisfied. In my view that is the case here.

Recommendations that:

- a **We make a diversion order for part of public footpath 307006 to replace the route A-B-C with A-D-C as shown on Plan 1 within this report; and**
- b **We confirm the order if no objections are received or if those objections are withdrawn**
- c **If objections are received, we discuss with the applicant whether they wish us to submit the Order to the Planning Inspectorate for determination, or abandon the Order**

Plan 1 – Proposed Diversion Order Plan



Background

2. In May 2024 our Area Ranger identified that works within the curtilage wall of Seat Farm, and rebuilt wall itself, had obstructed the definitive line of footpath 307006 and that an alternative route had been created around the exterior of the wall. The footpath forms part of the Ullswater Way promoted route. Significant building works have been undertaken at the property with planning approval (7/2016/3164) being given for the previous single storey dwelling to be demolished and a new two storey detached house to be constructed. The area within the curtilage wall has been substantially redeveloped as a domestic / garden space, with decking, landscaping and the wall rebuilt (on the same footprint). After discussion with us, the landowner applied to divert the footpath onto the route they have created.
3. We undertook a consultation on the proposed diversion. The plan included with our consultation (see Plan 2 in the Consultation section of this report) outlined two potential options for the diversion route. The responses to our consultation generally favoured the A-D-C diversion route. This route was also supported by the applicant. On this basis only this diversion route is considered further in this report.

Policy context

Links to Vision and Management Plan

4. The key outcome of the Vision for the Lake District National Park 2051 is that the Lake District is deeply valued by the nation as a thriving, working landscape, which is nature and heritage rich, climate resilient, and socially and economically vibrant.
5. The Management Plan contains the policies and actions for achieving the aims of the Vision. One of the nine objectives is to 'Inspire people to understand, enjoy and care for the Lake District', and one of the best ways to achieve this is to have an easy-to-use rights of way network to enable people to explore the landscape, nature and heritage. An aim within the objective is 'Improving and maintaining the rights of way network'.

Links to Business Plan

6. Our Business Plan states what actions will be taken as the National Park Authority plays its part, in partnership with others, in realising the Vision. The core Access & Recreation Action is to deliver the 'improve, maintain, promote and integrate elements' of the 'Out there' Strategy to deliver infrastructure and services which focus on serving under-represented groups (as identified by the 'Lake District for Everyone' Key Outcome Group).

Links to other strategic plans

7. The Ranger Service Plan 2026-27 contains the priorities for our service, including Contributing to World Class Visitor Experiences. This aims to achieve a programme of activity that will implement the adopted Cumbria and the Lake District Access and Recreation Strategy.
8. 'Out There' our Access and Recreation Strategy for 2023 - 2028 (approved March 2023) contains our vision for countryside access and recreation in the Lake District, which is: A well connected network fit for purpose in the 21st Century with high quality infrastructure, facilities and services meeting the needs of all visitors and residents. We have identified four priority themes of work, and under each of these are a series of strategic actions that will contribute to the achievement of our goal and our strategic aims. The four priority themes are:
 - Improve: rights of way and countryside access.
 - Manage and maintain: rights of way, countryside access and recreational activities.
 - Promote and engage: connect more people to nature and the special qualities of the Lake District.
 - Integrate: with health and wellbeing, sustainable transport and the economy.
9. This proposal appears to be of very minimal impact in relation to these aims. This diversion would alter the legal route of the footpath to the route now in

use around the curtilage of the property in the interest of the landowners.

Processing diversion applications such as these is part of effective management of the rights of way network, and fits with the aim (page 12 of the Strategy) to make orders to match current demand and suit modern day needs.

10. Our charging policy was agreed at Authority in August 2006, and the actual charges updated regularly since then.
11. Factors to take into account when determining changes to the network were agreed at Park Management Committee in May 1997 ("Changing the Rights of Way Network: Statement of Policy"), and are listed within Annex 1.

Options

12. The following options are possible:
 - a) Make the recommended Diversion Order
 - b) Do not make an Order, and seek removal of the works on the definitive line

Proposals

13. I recommend option 12a for the reasons set out in the discussion section below. The proposal in my view satisfies the legislative grounds and tests set out under Section 119 of the Highways Act (1980). We received a relatively limited response to our consultation, but those we did receive were generally accepting of the proposed diversion.

Discussion

Grounds and Tests for Diversion

14. The grounds and tests for a diversion are different at the making and confirmation stage. However, as we have discretion as to whether to make an order in the first place, it would be unwise to ignore something that could prevent an order from being confirmed. Therefore, the issue should be considered in the whole, and the factors to take into account are set out and discussed below. These factors incorporate our own policies on changes to the rights of way network which are set out in Annex 1.

15. There are only two grounds for a diversion of a right of way (section 119, Highways Act 1980), namely where it appears to the Authority that it is expedient to do so:
- a. in the interests of the owner, lessee or occupier of the land crossed by the path; OR
 - b. in the interests of the public
16. I consider that the proposed diversion is expedient in the interests of the landowner. It would benefit their privacy and enjoyment of their property by removing the public footpath from what is now a 'garden' space, and in the short-term would also avoid them having to make significant and costly alterations to the recently developed curtilage of the property.

Tests to be Considered

17. These are:
- Will the new path be substantially less convenient to the public?
 - The effect which the diversion would have on public enjoyment of the path or way as a whole;
 - The effect the order would have as respects other land served by the existing right of way;
 - The effect of the new right of way on land over which the new path is created;
 - That termination of the alternative footpath is on the same or a connected highway, and is substantially as convenient to the public.

Will the new path be substantially less convenient to the public?

18. Planning Inspectorate Advice Note 9, commenting on the case of *Young* identifies that the new route should not be substantially less convenient to the public in terms of, for example, features which readily fall within the natural and ordinary meaning of the word 'convenient' such as the length of the diverted path, the difficulty of walking it, and its purpose.
19. Taking these considerations into account I do not think the new path will be substantially less convenient to the public. Photographs of the current

footpath and proposed diversion route are included in Annex 2. The proposed diversion route is more direct, approximately 23 metres shorter in length than the current definitive line. Both are relatively level. The proposed route from point A follows a stone aggregate surface created by the owner around the exterior of the curtilage wall to a wicket gate at point D. It then crosses a grassy field between points D and C.

20. Between points A and B the definitive line now passes along a mixture of hard-standing, flowerbeds, loose gravel and walls (which obstruct the footpath user). Between points B and C the vegetation has become deeper on part of the definitive line in the corner of the field due to lack of use, though I would consider this to be part of the temporary circumstances affecting the footpath which should be disregarded. Prior to the development at the property the surface between points A and B appears to have been a track which was a mixture of grass and hard-standing around the interior of the wall, and then grass across the field. In my view the surface of the proposed diversion route is not substantially less convenient than the definitive line.
21. On the diversion route there is a field gate (3.5m) with adjacent wicket gate (0.9m wide) close to point A, and a wicket gate at point D (1.15m). The two gates at point A would both be included as part of the footpath, this would ensure that any users who find the wicket gate (which is slightly below our usual minimum 1 metre width for new wicket gates) too restrictive have a wider option available. The field gate appears to be kept propped open most of the time (though it cannot be guaranteed it won't be closed at times).
22. On the recorded definitive line it is likely that if a gap were created to resolve the obstruction where the curtilage wall now blocks the definitive line (point B), the owners would make a representation (under Section 147 of the Highways Act, 1980) to the LDNPA to authorise a new wicket gate in this gap to prevent animal ingress / egress.
23. Additionally, there is a wicket gate (0.85m) in the fenceline perpendicular to the wall slightly northwest of point B. This gate is a short distance (3 metres) from our working copy of the definitive line and may therefore be part of the

current highway (this is somewhat unclear as the recorded definitive line crosses the wall at an oblique angle). There does appear to have been a gate at this location prior to the development (and the current gate at least appears to have been installed by the LDNPA) though this does not necessarily make it a legal limitation on the footpath.

24. If the footpath were reinstated precisely following the recorded definitive line, and Section 147 authorisation given for a gate at point B, the footpath would feature just one wicket gate, and therefore in this respect the diversion route is less convenient. However, in my view the gates on the diversion route are relatively easy to use, and the continuation of the footpath in either direction through Crook-a-dyke and Cross Dormont features further gates (including field gates), so the gates on the proposed diversion route are unlikely to limit anyone who might otherwise have been able to access the footpath.
25. In my view, though the two sets of gates users would encounter on the diversion route are less convenient than the one which would be present on the definitive line (temporary obstructions notwithstanding), they do not reach the threshold of being substantially less convenient.

What is the effect of the diversion on public enjoyment of the path or way as a whole?

26. There would appear to be very little impact on public enjoyment resulting from the proposed diversion, both the definitive line and diversion route offer similar views and experiences. Although alterations would be required to reinstate the definitive line, it is likely that the curtilage area would remain a domestic / garden space. Given its character now some users may feel a sense of encroaching on a private or domestic space. At some locations this feeling may be offset by the opportunities to inspect buildings or enjoy walking through a garden, but given the layout here of decking, a hot tub and gravel beds, in my view retaining access to this would not be of particular value to public enjoyment. The barn closest to point A retains the most historic features and can still be viewed and enjoyed if following the proposed diversion route. The diversion route still offers views of the buildings, rebuilt stone wall (and attractive red sandstone stoops) and surrounding countryside. Given the

changes at the property, even if the definitive line were reinstated, my view is that the diversion route now offers the more 'natural' feeling route from an enjoyment perspective.

27. The Open Spaces Society did note during our consultation that they thought application of some soil and grass seed over the section A-D would be preferable to the current aggregate surface as it would have less visual impact and be more pleasant underfoot. Following discussion with our Ranger and Area Ranger, I confirmed our view that the current surface was more convenient and less liable to become muddy. Given these fields appear to remain relatively dry it is unlikely we would have required the applicant to put down surfacing if they hadn't already, but trying to re-establish grass over the proposed route may be difficult given the popularity of this footpath, and potentially in the short term may only result in creating a muddy surface. We also noted that the aggregate surface had already naturalised to some extent (see photo P9) and in our view was not too stark in this setting. The proximity to the house in this section means there is not a strong feeling that you are deep in the countryside. The D-C section is more open, and further from the property, and potentially here the addition of surfacing material would stand out more noticeably, but this section has been left as bare grass. In my view the current surface provides a reasonable balance between a convenient and easy to follow path, and not being too visually intrusive.

Would the order affect other land served by the existing right of way?

28. Given the relatively minor alteration of this footpath proposed for this diversion, in my assessment it would have no effect on other land served by the existing right of way. Both routes under discussion are within the same ownership and no private rights would be affected.

Is there any effect of the new right of way on land over which it is created?

29. As discussed above the proposed diversion route is already physically present and in use by the public having been created by the owner. There would be no further effect on the land resulting from the creation of a right of way on the diversion route.

Is the termination of the alternative footpath on the same or a connected highway, and is it as substantially as convenient to the public?

30. No change to the termination points of the footpath are proposed as part of this diversion.

Other Considerations Required by Legislation

31. Before confirming a Public Path Creation or Diversion Order we are required to have regard to any material provision of a Rights of Way Improvement Plan (RoWIP). No RoWIP formally exists now for Westmorland & Furness or Cumberland, so we are effectively considering our own Access & Recreation Strategy to be the LDNPA's RoW improvement plan.
https://www.lakedistrict.gov.uk/data/assets/pdf_file/0023/59270/Out-there-Access-and-Recreation-Strategy-2023-final.pdf
32. The proposals meet the general aims within the Access & Recreation Strategy (as discussed in the Policy section earlier), in particular the making of orders to reflect match current demand/usage and to suit modern needs (page 12).
33. Limited Mobility - We have a duty to audit the proposals with regard to limited mobility. This footpath would be fairly challenging for users with mobility equipment, though conceivably more rugged devices could be used to follow the footpath on either route (assuming the definitive line were reinstated to a suitable standard). The similar mixture of hard-standing and grassy surfaces on both the existing (prior to obstruction) and proposed routes in my view means the proposed diversion would make this footpath no more difficult for users with limited mobility. The gates on the proposed diversion route are no less accessible than the gates on the continuation of this footpath.
34. Impact on the needs of agriculture and forestry - assessment required under schedule 6, of the Countryside & Rights of Way Act 2000. None of the land here is used for forestry. The proposed diversion route is already well used and therefore there will be no further additional impact on the agricultural use of the land from making it a public right of way. Between points A-D the proposed diversion route passes through a fenced off grassy area which does not currently appear to be utilised for agriculture. The Ramblers and Open Spaces Society did highlight during our consultation that between points D-C (diversion

route) and B-C (current route) the footpath heads across a field which may be used for hay / silage, or for grazing, but moving the right of way from one route to another (shorter) route through this field would appear to have minimal, if any, impact on this agricultural use. The owner's application for a diversion to this route appears to support that this will not have a significant negative impact on their use of the land.

35. We consider landscape impact, biodiversity and archaeological interests and have to conserve biodiversity under the Natural Environment and Rural Communities Act 2006. And under section 11 of the Countryside Act 1968 we have to have regard to the conservation of flora, fauna, and geological and physiographical features and the amenity of the countryside. The footpath diversion proposals do not appear to have any effects on these aspects, the route is already in use and there are no Local Geological Sites, entries in the Historic Environment Record, or designations relating to natural or physiographical features (e.g. Sites of Special Scientific Interest or County Wildlife Sites) in the vicinity.
36. Impacts on Outstanding Universal Values (OUVs) – In my view this diversion proposal would have no direct impact on the OUVs of the Lake District World Heritage Site – the proposed diversion route does not in my view offer any greater, or lesser, opportunities to enjoy the special features of the locale.
37. DEFRA published a guidance note for order-making Authorities in August 2023 on diversion of Rights of Way which pass through private dwellings, their curtilages and gardens and farmyards. This is to some extent in opposition to a pre-existing LDNPA policy of a presumption in favour of preserving the historical integrity of the network. Following the publication of the DEFRA guidance we have taken the view that this takes precedence and overrides the LDNPA policy. Key points from the DEFRA guidance which relate to this order include:
 - *In all cases where the guidance applies, the order-making and confirming authority should weigh the interests of the owner and/or occupier against the overall impact of the proposal on the public as a whole. They should note that reducing or eliminating the impact of the current route of the right*

of way on the owner and/or occupier, in terms of privacy, security and safety, are important considerations to which due weight should be given.

- The order-making authority should therefore be predisposed to make, and the confirming authority will be similarly predisposed to confirm, an order if it satisfies the respective relevant legislative tests.*
- In determining an application to which this guidance applies, it is for the authority to consider the case on all its merits taking into account all the statutory requirements and available guidance. In making its decision as to whether the existing path should be diverted or extinguished, an authority should consider in particular the impact of the existing path on the property owner and/or occupier against the benefit that having the right of way through the land brings to the public, taking account of this guidance.*

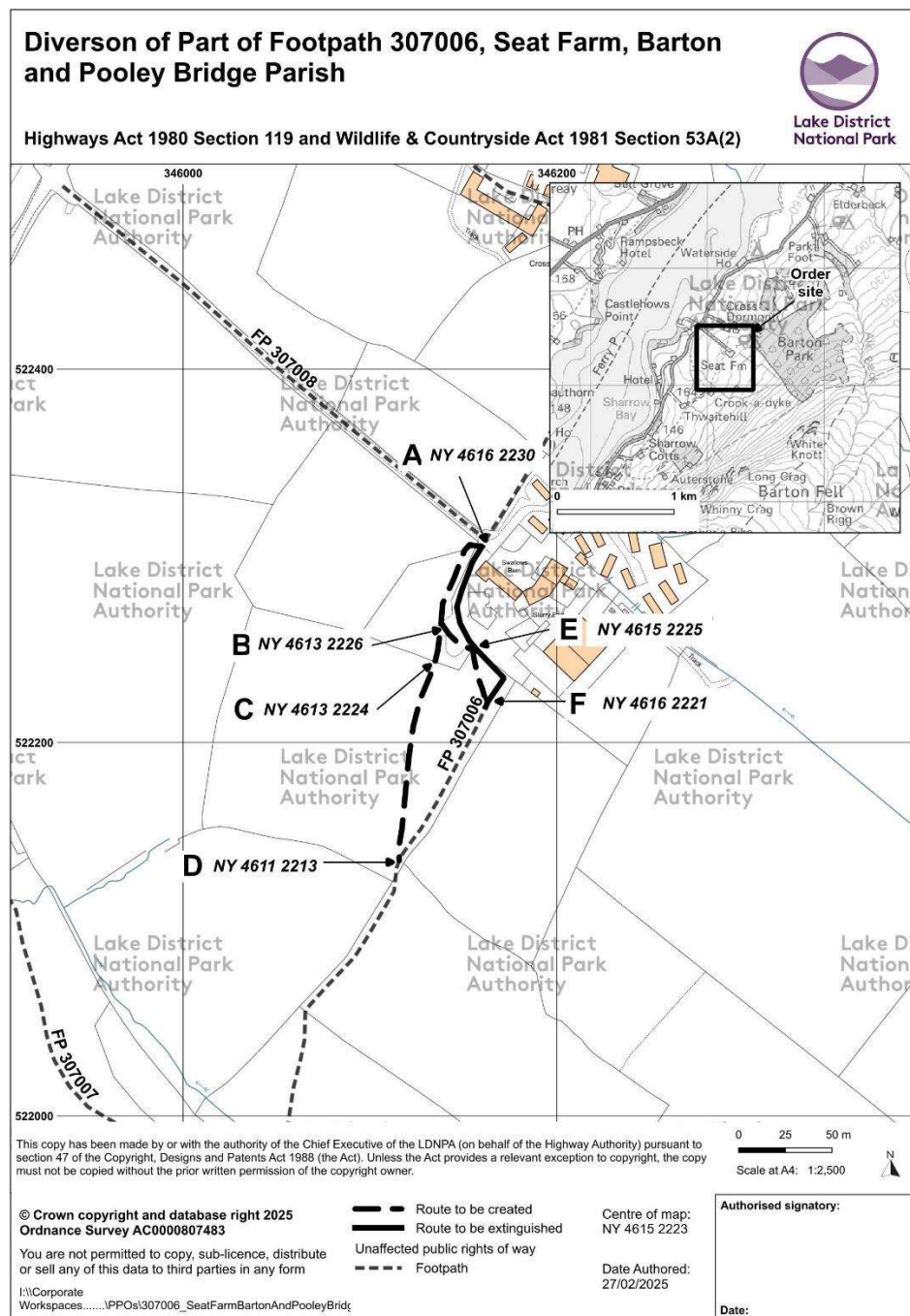
38. I have attempted to give due consideration and weight to the benefits (including improved privacy) to the landowner which would result from their proposed diversion against the impact of the proposal on the public as a whole. This accords with the LDNPA policy of recognising the concerns of those managing the land where legitimate operations may affect the public's enjoyment of or safety in using rights of way. It should be noted that the legal tests for making and confirming a diversion under section 119 of the Highways Act remain unchanged and it is still these the proposed diversion has been assessed against. As the legislative tests are satisfied in my view by the applicant's proposed diversion, it follows that we should be predisposed to make and confirm an order to remove the footpath from what is now a domestic curtilage area in the interest of improving privacy at the property.

Stakeholder consultation

39. We have consulted our usual consultees, including Westmorland and Furness Council (the Highway Authority), the parish council, relevant user bodies, interested parties, utility companies – along with others whom have requested to be consulted.

40. As discussed above, the plan included with our consultation outlined two potential options for the diversion route, A-B-C-D or A-B-E-F as shown on Plan 2 below (note that the labelling of some points on the consultation plan is different to Plan 1).

Plan 2 – Diversion Consultation Plan



41. We received the following responses to our consultation:

Name of stakeholder	Consultation response (and LDNPA comments)
Open Spaces Society	Many thanks for consulting the Open Spaces Society on this potential diversion of fp 307006. The author of this note previously walked the path in March 2022 and recalls that some building work had started on the site. The OSS are hugely disappointed that the LDNPA allowed this PROW to become obstructed given that these issues should have arisen during the various planning applications which have been made for this site. Given any concerns by the site owner as to privacy when installing “shop windows” did not arise at that time it would be difficult for them to claim the diversion is in their interests. But that is a debatable point. The OSS have considered this application without prejudice to this point and would, given a pre-development application for the diversion, not have objected. The outstanding issues are which of the two routes proposed do we favour and the related issue of the character of the path surface. The route choice is a difficult one given that we don’t know the future land use of the field through which the path will pass. If the field will be used for hay/silage then the route A-E-F would be favoured. If the field will be used for stock grazing then either route could be used but walkers would probably adopt A-B-C-D. We note that the application has laid stone along a narrow part of the possible future line of the PROW and we would like to see soil spread over this line should this be the preferred new route. We note that some vegetation has started to regrow through the

gravelled surface but we find such surfaces through fields as intrusive and out of character with the generally rural character of the route.

Can we ask that the LDNPA request that should A-B-C-D be adopted they insist on a grass surface to the path?

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LDNPA response – Confirmed that our Planning team had noted the presence of the footpath when considering planning applications related to this property, and included a condition in the approval regarding the stone walls being rebuilt on the line of the existing walls and not encroaching on the footpath.

Confirmed that the applicant has not mentioned any planned changes to the use of the field, but whatever their future use they must not obstruct or reduce the ease of passage along the footpath.

Noted comments regarding re-establishing a grass surface on the path. Some drawbacks to this would be that it may make the path more prone to becoming slippery or muddy, and that on a practical level it may be difficult to establish a grass surface by putting down soil and seed, given the popularity of this path. We also highlighted that since the stone surface had been put down by the owner it had already begun to ‘soften’ at the edges and grass up a little. The OSS responded on this point that, ‘given the use of that path it won’t proceed much further unless a small depth of soil and seed are applied. So yes I think the owner should do more to make the surface more pleasant to walk.’

OSS further comments (after having walked the route in January 2026) - All the works appear to have been undertaken. A new stone stile by at gate at point D; a pedestrian gate at point C.

	Pedestrian gate at point E with notice encouraging walkers to use this route (but no such notice at D). Surface of D-C was grass which was walkable despite the recent heavy rainfall. Surface of B-A is rough hard core (perhaps wrong noun) and less pleasant to walk. I assume your point A is where the route to be created enters the yard to meet up with other paths.
The Ramblers	Thank you for consulting us on this application. We visited the site last Tuesday, and noted that the path is obstructed by the wall and new garden features. It is a pity that the diversion application wasn't submitted before the path was obstructed. In comparing the routes we have considered the existing path as it would be if the obstructions were removed. The existing path and both possible diversions are similar in length and surface, and all are fairly level. We have no objection to the diversion onto either of the proposed routes. Given a choice we prefer the route A-B-C-D, as it is slightly shorter, but both suggested routes are acceptable. We note that the direct line crosses the field between C and D that appears to be used for hay or silage.
Westmorland and Furness Council Countryside Access Team (W&F)	Just one comment - It looks to me like the landowners have illegally blocked definitive path but provided an alternative with gates less than the BS standard clear widths? -- LDNPA response – Confirmed that proposal is that both the wicket and field gates close to point A would become part of the footpath as this appeared the pragmatic option given that the

	wicket gate is just below our usual minimum specification and field gate is generally kept propped open. The gates are hung on red sandstone stoops (attractive vernacular features). -- W&F response – Thanks for the clear explanation and justification with which I have no issues and fully support the proposals.
United Utilities	Please note United Utilities network is directly affected by your proposals, however not to the extent where diversionary works are required. We must have 24-hour access to the mains network within the immediate vicinity of the proposed works in order to complete any maintenance work. From our records it looks like the existing water main has already been diverted to allow for the new property to be constructed, a site visit has not been undertaken.
Barton and Pooley Bridge Parish Council	After consideration, the Council have indicated a preference for route A-B-C-D.

Demonstrating best value

Work Programme and Relevance to This Case:

42. This proposal has come about through an application made by the landowner. Although making Diversion Orders is not a statutory duty (it is possible 'Right to Apply' regulations will come into effect in future), our processes are designed to deal with applications in as timely a fashion as possible, doing so is part of effective management of the public rights of way network.
43. **Challenged** – The **challenge** is for us to achieve our policies without significant financial or staff implications. The proposed diversion appears relatively straightforward - it would be in the interest of the landowner and in my view presents no significant disbenefits to the interest of the public. The proposal is cost-neutral for the Authority.

44. **Compared** – We have **compared** our casework completion rates with other authorities, and our rate of processing these sorts of orders is roughly comparable. The diversion will align the definitive map with the route now predominantly in use on the ground and will not negatively affect our ‘ease-of-use’ performance indicator if the path is selected for survey in the future.
45. **Consulted** – We have **consulted** user bodies, the Local Access Forum, and other interested parties as part of the process, their responses and our comments are included above.
46. **Compete** – Processing public path orders is not a **competitive** procedure. Westmorland & Furness Council can also process orders, but we are more closely connected with the day-to-day management of the network under our agency agreement with the Council and so can act more effectively.

Finance considerations

47. The staff and administrative costs for a standard diversion such as this are £3,150, and two adverts in the Westmorland Gazette, costing around £350+VAT each. No works appear necessary on the proposed diversion route prior to making or confirming an Order. As the diversion has been sought in the interest of the applicant they have agreed to meet all of the costs.

Risk

48. As with all Public Path Orders there is a risk that the proposed Order may be objected to, in which case we may need to discuss further with the applicant whether they wished us to abandon the Order due to the potential further costs, or submit the Order to the Secretary of State for determination. This risk has been mitigated as far as possible through consultation, the response to this consultation was supportive in the main and it appears unlikely this Order would attract substantive objections.

Legal considerations

49. The order will be made under section 119 of the Highways Act 1980 and we are able to make orders under this section by virtue of schedule 9, paragraph

11 of the Environment Act 1995. The modification element will be made under section 53A(2) of the Wildlife & Countryside Act 1981, and we have powers to do such orders through our Agency Agreement with Westmorland & Furness Council. The action strikes a reasonable balance between private and public rights.

Human resources

50. The work involved in this proposal is approximately 60 hours from members of the Ranger teams, one hour from the GIS Officer, and one hour from a member of Legal Services. The work involved is all part of our day-to-day duties, and over half of it has already been undertaken.

Diversity implications

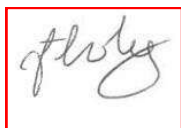
51. I have not identified any significant diversity implications. The change to the public right of way is very minimal and similar in character.

Sustainability

52. I have not identified any significant environmental, economic or social effects which would result from this proposal.

Background papers	Case file reference: 1412.307.002
Author / Post	Will Hinchliffe, Rights of Way Officer
Responsible Director	Hanna Latty, Sustainable Development
Date written	31 July 2026

Authorised by:



Name: Jack Holmes Job Title: Ranger Team Leader (North)

Date: 17th August 2026

Annex 1: Our Policies on Changes to the Public Path Network

Policies on changing the public path network have been developed and approved by the Authority. These are listed below, and reference is made to them, where appropriate, in the discussion part of the paper.

- There will be a presumption in favour of preserving the historical integrity of the network.
- The concerns of those managing land, especially for agriculture and forestry, will be recognised where legitimate operations may affect the public's enjoyment of or safety in using a public right of way. Under schedule 6 of the Countryside & Rights of Way Act 2000, we also have to look at the impact of all changes on agriculture and forestry.
- There will be a presumption against re-alignment of cross-field paths onto routes following field edge boundaries.
- There will be a presumption against any reduction in the amount of public access in the National Park.
- Where the route in use at present differs from the definitive line, there will be a presumption in favour of restoring the original route before considering a legal diversion.
- The future maintenance and management implications of any proposed change to the network will be considered.
- Changes should, if possible enhance public benefit through enabling the better enjoyment of the cultural landscape and nature conservation interest and should not reduce the ability of the public to discover any of the special qualities / features of the National Park.

Annex 2: Photographs of the definitive line and proposed diversion route

Current definitive line

P1- Definitive line follows the inner side of the wall (this photo facing roughly south-southwest from close to Point A)



P2 – View of the garden / curtilage area, facing north-northeast, the footpath follows the inner side of the wall and is obstructed by the low wall and flowerbeds



P3 – The definitive line follows the field boundary wall between Points B and C – in the corner of the field this has become overgrown with a more direct route cutting the corner having developed through use



Proposed Diversion Route (photos taken following route generally southwards)

P4 and P5 - Field and wicket gates close to Point A, the proposed diversion route follows the outside of the wall (route has been signed by the owners). At the time of our visit the field gate was propped open.



P6 – View of the barn building and more recently built house from the wicket gate close to Point A



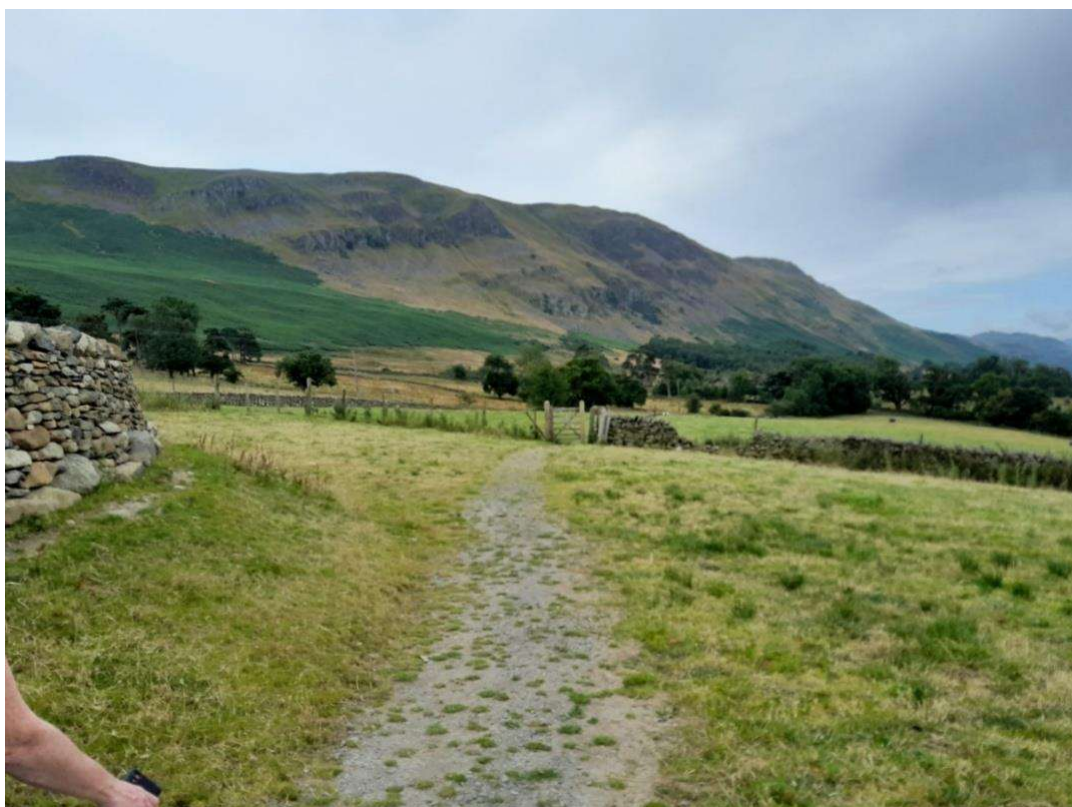
P7 – The route along the outside of the wall between Points A and D has been surfaced with aggregate



P8 – View northeast towards Point A



P9 – View towards the wicket gate at Point D



P10 – Wicket gate at Point D, facing north



P11 – View north-northeast along diversion route from close to Point C



P12 – Point C where the proposed diversion route and definitive line meet

