

The Lake District – A Cultural Landscape Under Threat

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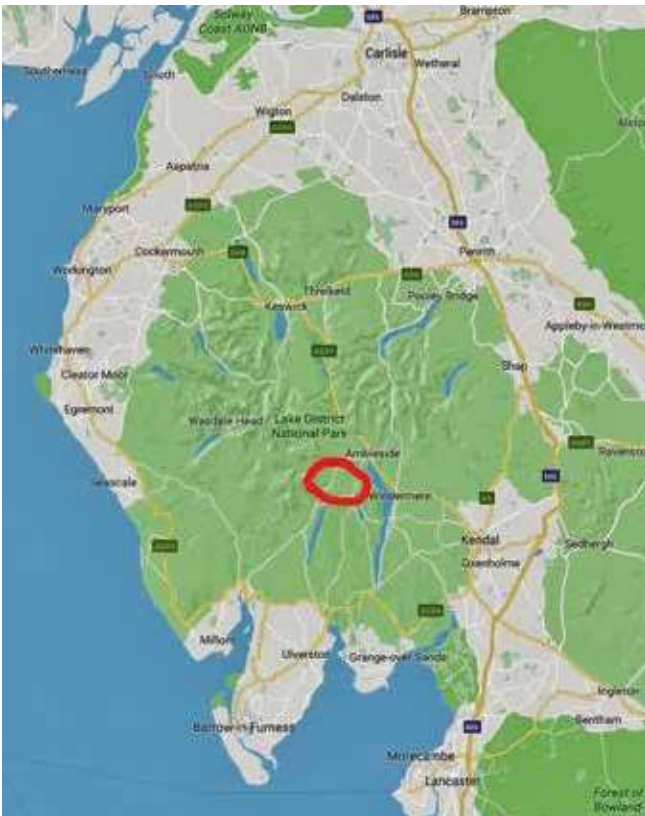


Fig. 1: Off-Road Routes U5001 and U5006 and their location in the Lake District National Park.
Map: Save the Lake District Campaign

The Lake District's key attributes of Outstanding Universal Value are centred around three themes: its beauty and harmony, the fusion between the landscape and human activity, and the role the Lake District played in the development of landscape conservation movements nationally and internationally.

This report describes how all three aspects are being systematically damaged with the consent of the body entrusted with the protection of the Lake District, the Lake District National Park Authority (LDNPA). The focus is on two so-called green lanes, U5001 and U5006, ancient unsealed tracks with presumed but not proven vehicular rights. (see Fig. 1)

These tracks run across a stretch of land between Coniston and Little Langdale which one of the founders and leading figures of the Lake District conservation movement, the author, landowner and sheep breeder Beatrix Potter, left to the National Trust and the nation, on the condition that it be preserved for future generations, together with the sheep farms located on it. Beatrix Potter was drawn to this space by its spectacular wild beauty and tranquillity, and by the need she saw to protect a traditional agro-pastoral way of life against the onslaught of mass tourism. Her efforts contributed greatly to the development of the National Trust, the largest conservation organisation in the UK.

The two tracks in question were rarely, if at all, used by recreational motor vehicles before 2001. They are shown on maps from 1844 onwards as minor tracks, in clear contrast to the roads leading up to them. In tourist guides from the mid-1880s they appear as routes for walking excursions. In the 20th century they were not sealed with tarmac because there was no demand from local residents or tourists to use them with motor vehicles.

An invasion of off-road motor vehicles

In 2001 the Lake District National Park Authority introduced a scheme of voluntary restraint for recreational motor vehicle users on green lanes, the Hierarchy of Trail Routes (HOTR), proposing a maximum number of four 4x4s and eight motorcycles travelling in one group. Major flaws in the scheme are that it is unenforceable and sets no overall limit. The HOTR was devised



Fig. 2: Beatrix Potter's legacy in the Lake District. Photo: Save the Lake District Campaign

in co-operation with motor organisations, without the involvement of residents, farmers, horse riders or walkers.

After the LDNPA erected signs advertising the HOTR in 2001, the number of recreational motor vehicles on the High Oxenfell-Hodge Close and High Tilberthwaite-Bridge End tracks rose steadily. Commercial companies started offering tours in 4x4 convoys on these routes. At the same time, off-road enthusiasts began posting material on social networks, praising this area as an ideal destination to practice off-road driving skills.

Between 2002 and 2004 the LDNPA registered an average of 40 4x4s and 80 motorcycles a month on the High Tilberthwaite – Bridge End route. Following a Freedom of Information request the Authority has only recently admitted that it also holds figures for the first seven months of 2008. They show that the number of 4x4s had tripled to 90 a month on average, with the number of motorcycles remaining stable at 80 a month. It is incomprehensible why the LDNPA did not act after receiving this information 10 years ago.

For 2017 the only available figures are provided by the two farmers on the route, based on first-hand experience. They indicate a further massive increase in the number of 4x4s to between 300 and 400 a month. There are no numbers available for motorcycles. Both the 2008 figures and the 2017 figures

are clear evidence that the voluntary restraint management option adopted by the LDNPA has failed. The condition of both routes has deteriorated substantially (see Fig. 3) and a YouTube video posted by a 4x4 group, at https://youtu.be/N0y1sixW_M8?t=11m27s; in some places the surface has been eroded so badly that it has become very difficult for the High Tilberthwaite farmer to reach his stock. In June 2017 the farming family wrote an open letter, alerting the LDNPA to the condition of the track and the pressure of off-road vehicles coming through their farm. The family has now decided to relinquish the National Trust tenancy because of the degree of nuisance being caused by motor vehicles and will leave the farm later in 2018.



Fig. 3: 4x4 cars and erosion on the Thilberthwaite track.

Photo: Save the Lake District Campaign

This constitutes a significant weakening of a precarious agro-pastoral system of land management, given that in this area there are only two sheep farmers left. Any new tenants at High Tilberthwaite will be faced with the same problems, so it is difficult to see how this farm can be managed successfully if the LDNPA does not restrict access to the tracks.

As the custodian of the National Park, the LDNPA has the duty to act against developments that fundamentally change the character and the peace and tranquillity of an area. In 2006 all National Park Authorities received powers to impose Traffic Regulation Orders (TROs) so that areas of natural beauty could be protected. The LDNPA has stubbornly refused to consider using these powers over the last 12 years.

Protests and the LDNPA response

As early as 2000 local residents warned that the HOTR would publicise the routes to recreational drivers. In December 2000 the Chairman of the Langdales Society wrote in the Langdale Valley News that with the introduction of the Hierarchy of Trails Routes *'the LDNP have not just advertised the fact that 'green roads' are in fact legitimate highways; they have not just given permission for certain types of vehicles to use these tracks; they have positively issued a challenge which has been taken up by entrepreneurs.'*

In December 2004, the Langdale Valley News reported on a well-attended meeting in the Langdale Village Hall with the Trails Advisor for the LDNPA: *'Track conditions were of serious concern on many routes such as Elterwater to Little Langdale (via Birch Hill), Oxenfell to Hodge Close, Bridge End Cottage to Tilberthwaite. Here track surfaces had deteriorated, it was said, under the Hierarchy of Trails scheme to being worse than 40 years ago.'*

The same issue of the Langdale Valley News mentions a resolution passed by the Neighbourhood Forum meeting on 16th November 2004, calling for the scrapping of the Hierarchy of Trails scheme and for a traffic survey by the LDNPA and Cumbria Highways to recognise the problems and consult with residents as to how these should be addressed.

In 2005, residents wrote to the LDNPA to complain about the detrimental effect of the motor traffic on the landscape. The LDNPA replied that nothing could be done as this was a public road.

In 2006, after National Parks were empowered to prevent this kind of environmental damage by using Traffic Regulation Orders, the editor of the Langdale Valley News wrote: *'National Park management is clearly not protecting or enhancing the green lane environment in Langdale, which it is supposed to care about, along with the rest of the Park. Indeed, one of the special qualities of any national park is peace and tranquillity and TROs can be imposed on the grounds that off-roading is incompatible with such qualities.'*

In 2014, according to the minutes of the Local Access Forum, the National Trust representative reported that *'use of the route has increased and their tenant at High Tilberthwaite is impacted by the amount of vehicles coming through his farm yard.'*

In 2015 a member of the public presented the LDNPA with a detailed report on the damage to the two tracks and the detrimental effects on residents, particularly on farmers. She wrote that *'all the residents I spoke to were distressed and angry at the damage which is being done to the National Park, by the nuisance which they are experiencing personally and by*

the apparent inability or unwillingness of the National Park Authority or the Highway Authority to take action.'

In October 2017 a group of campaigners presented the Chief Executive of the LDNPA with a petition signed by 3,000 people, asking the LDNPA to conduct a consultation on a TRO for the two tracks, on the grounds set out in section 22BB Road Traffic Regulation Act 1984: *a) to preserve or improve the amenities of the area through which the road runs; b) to conserve or enhance the natural beauty of the area, or to afford better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area.'*¹

In response the LDNPA said that it had started to monitor the tracks and that it needed until the end of November 2019 until a decision on whether to start the TRO process could be reached. This means a period of 30 months would elapse from the start of monitoring in June 2017 until a decision in November 2019, twice as long as other National Parks have needed. A TRO could then not come into force until 2021.

Conclusion and recommendations

Through its policy and current management practice in the area the LDNPA

- contributes to the destruction of the Lake District's unique agro-pastoral landscape
- negates and reverses the conservation efforts of the past century
- breaks the links of this landscape to its cultural, historical and literary heritage
- removes the opportunity for quiet enjoyment in a distinctive pastoral landscape of harmonious beauty
- fails in its statutory duty under the Environment Act 1995 to conserve and enhance the natural beauty of the area
- fails in its statutory duty to give greater weight to conservation if there is an irreconcilable conflict between conservation and any recreational interests.

We ask the UNESCO World Heritage Committee to remind the Lake District National Park Authority that its current policy on off-road driving on green lanes in the Lake District is not compatible with World Heritage Status. In particular, the LDNPA must take all necessary steps to ban off-road driving on the two tracks between High Oxenfell and Hodge Close and High Tilberthwaite and Bridge End as soon as possible.

¹ The petition, now with 6,300 signatures, can be found at https://www.change.org/p/to-the-ceo-of-the-lake-district-national-park-authority-save-a-beautiful-part-of-the-lake-district-from-destruction-by-off-road-motor-vehicles?recruiter=186557056&utm_source=share_petition&utm_medium=copylink&utm_campaign=share_petition