LAKE DISTRICT GREEN LANES ALLIANCE
Protecting the beauty and tranquillity of our green lanes
www.ldgla.org

Newsletter 17
April 2025

Contents:

UNESCO vs. green lane motoring: will the National Park step up?

UNESCO has made its stance clear: green lane motoring has no place in the Lake District's most sensitive landscapes. At its 2023 session the World Heritage Committee called on the Lake District National Park Authority (LDNPA) to:

- Use existing tools to **prevent vehicular access** to unsealed roads in highly sensitive and emblematic valleys.
- **Urgently monitor** all unsealed roads to assess the impact of green lane motoring on the area's Outstanding Universal Value (OUV) —and use this data to introduce an effective strategy and real protections.

But is the LDNPA listening?

Its latest response to UNESCO (pp. 21-23) suggests otherwise. Despite strong evidence of harm, including from its own surveys in 2019, the authority still prioritises motorists' rights over protecting the Lake District's essential qualities, such as tranquillity and the integrity of a historic landscape.

Worse still, its proposed monitoring programme looks more like a delaying tactic than a solution. It will not probe whether all those qualities that make the Lake District so special are being harmed.

Instead of swift action we face **years of continued damage** while 4x4s and motorbikes face no restrictions, even on the most sensitive green lanes.

UNESCO has asked for a proper regulatory policy - and it's time for the LDNPA to deliver. We need decisive action to protect the **essential qualities of our National Park and World Heritage Site** before they are degraded even further.

Why not look at how others have solved the problem? In many US National Parks, for instance, the use of off-road vehicles on unsealed roads is prohibited.

The Superintendent's Companion of Grand Teton National Park puts it succinctly:

Recreational use of off-road vehicles

- **is incompatible with the National Park's mission**
- **would impair Park resources**
- **and would conflict with other users.**

Three reasons that are just as valid for the Lake District.

§4.10(a) Travel on park roads and designated routes, off-road vehicle use

- **There are no designated areas or routes for off-road vehicles within the park or parkway.**

The Superintendent has determined the recreational use of off-road vehicles is an incompatible use within the park mission, would impair park resources and conflict with other park uses.

Dirt track Lake District – a European off-road network

The Trans Euro Trail for motor cyclists on Lake District green lanes

What is the Trans Euro Trail? As the website explains, it's Europe's "dirt road motorcycle adventure", from the edge of Africa to the Arctic Circle. "Influenced by the pioneering Trans America Trail, the Trans Euro Trail encourages adventurous riders to travel light and experience the rich diversity of Europe's land and culture."

In the UK the Trans Euro Trail incorporates scenic routes through areas of ancient and outstanding natural beauty. In the Lake District over 30 green lanes are included: among them the Old Coach Road, Tilberthwaite, Elterwater and Gale Road.

If you look at YouTube footage of motorbikes on the Lake District section of the network, reality dawns: these are motorcyclists who enjoy a challenging

surface in scenic surroundings, the quieter the better, and they don't mind turning the landscape into an adventure park. This clip is from Grizedale – over the music the roar of the bikes can be clearly heard.

And here two bikes are scrambling up the very narrow stretch between Low and High Hall Garth in Little Langdale – where meeting a motorbike can turn a pleasant walk into a nightmare. (See below about damage to this track.)

Allowing these activities to continue is not just inappropriate, it's also dangerous and directly contradicts the fundamental purposes of National Parks: to conserve and enhance natural beauty, wildlife, and cultural heritage while promoting quiet enjoyment for all.

From Little Langdale ford to High Hall Garth – U5003

When you walk from Little Langdale ford towards the Tilberthwaite track you pass two old farm houses that belong to the NT, Low Hall Garth and High Hall Garth. They are part of Beatrix Potter's legacy and now function as climbing huts. The track between them, enclosed by walls on both sides, is so narrow that 4x4s can't use it. Which doesn't meant they don't try.

This photo was taken in 2021, but the recklessness continues: below you can see the damage recently caused to one of the walls, themselves a valuable piece of heritage:

That this track should still be open to motor vehicles is difficult to believe. It's unsafe for walkers and cyclists and puts the fabric of the track at risk.

High time for a TRO, banning recreational motor vehicles.

A landmark legal victory for Protected Landscapes

In our last Newsletter (October 2024) Ruth Bradshaw from the Campaign for National Parks (CNP) explained an important new legal duty for public bodies in Protected Landscapes (National Parks and Areas of Outstanding Natural Beauty). They must now "seek to further" (not just "have regard to") the statutory purposes of Protected Landscapes. Just to recap, in a National Park this means they must further the following two purposes:

- to conserve and enhance the natural beauty, wildlife and cultural heritage
- to promote opportunities for the public understanding and enjoyment **of the special qualities of the Parks** [our emphasis].

We now have proof that this legislation has teeth: Government lawyers admitted defeat in a judicial review brought by the CNP and a local charity, Dedham Vale Society, against the Secretary of State for Housing, Communities and Local Government, Angela Rayner. The Government had approved the development of a significant car park extension without observing the new legal duty to "conserve and enhance" National Parks and National Landscapes.

It was one of the first cases to consider this duty, which came about after decades of campaigning by the CNP for change. It sets a critical precedent for all of England's 10 National Parks and 34 National Landscapes, making clear that all public bodies must comply with the law to further conservation and enhancement of these areas.

What does this mean for all public bodies in the Lake District? As the Government guidance to the new duty makes clear, they must, for example, consider measures to

> **"contribute to the conservation and enhancement of the Protected Landscape's wildlife, ecological value and quality,**

geological and physiographical features, water environment, cultural heritage, dark skies, tranquillity, opportunities for access to nature, and landscape character for which the area was designated".

It's not difficult to work out that protecting green lanes for nature, for walkers, cyclists, equestrians and residents would do exactly that.

World Heritage Watch: we rock the boat

World Heritage Watch is an international NGO based in Berlin. It gives a voice to civil society, closing an essential gap between the reality on the ground in World Heritage Sites and the information provided to UNESCO by State Parties, for us this is the LDNPA via the Department for Digital, Culture Media and Sport. Those who have the difficult job of looking after World Heritage Sites sometimes see this as unwanted interference from local groups. Yet this kind of engagement is precisely what the World Heritage Convention asks for. It's not enough for bureaucracy to speak to bureaucracy – a reality check by the people who live in a World Heritage Site is essential for the Outstanding Universal Value (OUV) to be protected.

Currently there are 1223 World Heritage Sites; World Heritage Watch has been involved with around 150 of them. In the UK this includes Stonehenge, Liverpool, Blenheim Palace, the Jurassic Coast and the Lake District. Stephan Doempke, who founded WHW, has been active in heritage protection for most of his life. When in the 1990s Boris Yeltsin assigned Greenpeace Russia to prepare eight World Heritage nominations they asked Stephan for help. He is also the publisher of the annual WHW Report, to which we have contributed for a number of years.

The LDGLA asked him what common themes there are to the threats that WHW deals with.

Stephan Doempke: One important theme is overtourism, in many sites. Another one is big infrastructure projects. In the case of cultural landscapes,

it's also encroaching urbanisation, a slow process of change, of changing the character of the landscape through changing land use and changing architecture. Then there's obviously destruction through armed conflicts, like in Ukraine or Syria, and also natural disasters.

LDGLA: Are there particular challenges for cultural landscapes like the Lake District?

Stephan Doempke: Well. as I mentioned, one is definitely overtourism. Another one is this kind of encroaching, gradual change, where you see that the landscape has moved away from what it was originally. This gradual process is my big concern, because suddenly it might be too late to intervene, when the values for which they have been inscribed are being lost. And that is something that urgently needs to be addressed, particularly for historic rural landscapes. It is critical to have a list of the attributes of the site that make up the historic character of that landscape. In the case of the Lake District that includes the green lanes. They should be listed in a management plan so that they can be identified and protected. In organically evolved cultural landscapes that is really, really important.

LDGLA: What is your relationship with UNESCO?

Stephan Doempke: First of all, it's an informal relationship. We don't have a statutory role in or with UNESCO. We alert them, we advise them, and put on pressure to rectify things or warn them of developments that are taking place, of which they may be unaware.

LDGLA: You've organised a number of forums which have included UNESCO and ICOMOS, the advisory body on World Heritage sites, so it seems that they do value their relationship with WHW.

Stephan Doempke: Yes, definitely. They do benefit to a great degree from the information that we submit. But all this information means more work and more trouble for them. We rock the boat.

LDGLA: In the Operational Guidelines of the World Heritage Convention the role of civil society, even if it's not formalised, is given a lot of importance.

Stephan Doempke: Yes, of course. That's a policy. We fill a very important gap, in providing information that the state parties don't provide, in observing developments on the ground where UNESCO cannot be except in certain cases, complementing and correcting the State of Conservation reports by State Parties. And that is very much appreciated by UNESCO.

LDGLA: Still in terms of civil society: we now have a petition against green lane driving in the Lake District signed by over 390,000 people. What weight do you think that has for UNESCO?

Stephan Doempke: I think that will have a huge weight. I remember one instance where they received 30,000 signatures on an African site and that had a huge impact. Now you have more than 10 times that number.

LDGLA: Can we talk about monitoring harm to OUV and to the attributes of OUV. How do you measure that? Can any harm be monitored by visitor surveys?

Stephan Doempke: It depends on the attribute. In some cases the damage is obvious and you don't need an expert, like in the case of the Acropolis of Athens. When you see that the whole plateau of the Acropolis is covered by concrete you don't need an expert to determine that there is damage.

For some artworks like a fresco in a Byzantine church, maybe you need to be an expert to tell whether there is any serious damage. But in the case of green lanes it's not so difficult to see that there is damage. And nobody has the same experience about the site as a local inhabitant. So I think the local communities probably are the best at monitoring, because they know what the site was like 10 or 20 years ago. To describe the function of green lanes in the wider landscape and for OUV in general you would need historical and landscape expertise as well.

LDGLA: Last question. What are the sanctions that UNESCO has available. What can UNESCO do? To put things right, to force them to change their views?

Stephan Doempke: The only sanction they have is to inscribe a site on the list of World Heritage in danger, and then in the worst case they can delist the site. There are the cases of Liverpool and Dresden, where the Committee has been very patient for a long time, when they've tried to encourage and suggested measures to be taken. But there will be a point in time when they will say enough is enough, and when they see essentially an unwillingness by the state party to rectify things. When they see a continuing brushing away of the committee's decisions. When they see that the reports that UNESCO receives do not tell the whole truth. And then when they run out of patience things may happen. As we saw in Liverpool, it can happen even during a committee session. In the case of Liverpool, at first it seemed that the committee was against delisting the site. And then one of the committee members requested a secret ballot. And in the secret

ballot there was a majority for delisting, and the site was delisted. These things take time, but they may happen and both Liverpool and Dresden are examples to prove this.

Is green lane driving compatible with World Heritage status? An expert assessment

by Dr John Carman, expert in Heritage Management

The Lake District was inscribed as a cultural landscape on UNESCO's list of World Heritage in 2017. It was inscribed under three criteria:

- (ii) an important interchange of human values over a span of time…;
- (v) an outstanding example of a traditional… land-use…;
- (vi) to be directly or tangibly associated… with ideas… of universal significance.

The first was justified on the grounds of how "the harmonious beauty of the [distinctive agro-pastoral and spectacular ice-shaped natural] landscape [has the] capacity to inspire and restore the human spirit", ideas which led to the development of the idea of the National Park worldwide.

The second was justified on the grounds of the shaping of the landscape by long-term agro-pastoral use and "initiatives of the 18th and 19th centuries that were based on the early appreciation of the Arcadian and Romantic character". The third criterion was justified on the "outstanding association with the Picturesque and Romantic Movements". The crucial aspect here is the role of aesthetic movements in ascribing qualities to the Lake District landscape that require a response of a particular kind: especially **direct engagement with the outdoor environment** – to see landscape features in relation to one other, to hear the sounds of nature and human agricultural activity, and to feel sun, wind or rain – and to do so without the assistance of motorised vehicles. **It is this direct physical engagement that engenders the emotional and aesthetic response required by the Picturesque and Romantic traditions and continues to attract visitors today**.

The inscription documentation emphasises throughout the *traditional* nature of activities and the deliberate exclusion of modern intrusions. While agriculture is the main economic activity apart from tourism, there is also evidence of mining and quarrying from earlier ages. In particular the Neolithic axe 'factory' of Langdale represents very early quarrying but such activity is no longer carried out in the area and it is recognised that any

resumption of quarrying or mining would inevitably damage the quality of experience of the landscape established from the period of the Romantics.

It is notable that no railways or motorways penetrate the Lake District in order to maintain its traditional character and many locations do not have good road access: the emphasis is upon walking, cycling and riding as the ways to move about outside of settlements.

The presence of motorised vehicles on these routes directly affects the ability to engage with that physical aesthetic and emotional experience which lies at the core of inscription as a World Heritage site.

Motorised agricultural machinery designed for cross-country use are of course evident in the area as part of the traditional economic activity and private motor vehicles and buses operate on roads but these are to be expected. The green lanes of the area are in themselves traditional routes – some will have long histories, going as far back as Medieval, Roman or even prehistoric times – and provide that direct contact with the environment emphasised by the Romantic tradition of landscape appreciation. The presence of motorised vehicles on these routes directly affects the ability to engage with that physical aesthetic and emotional experience which lies at the core of inscription as a World Heritage site.

The inscription documents emphasise the “remarkable intactness” of the traditional attributes of the Lake District, which have been “maintained through a combination of tradition, practices and conscious conservation efforts”. The latter include an emphasis on the aesthetic and emotional enjoyment of the area by and for visitors and the ongoing exclusion of modern intrusions. The use of green lanes for recreational driving represents a threat to traditions related to maintaining the qualities of the area and therefore the area’s integrity as required by inscription.

In summary, allowing driving on green lanes is incompatible with the terms of inscription as a World Heritage site. It threatens to deny visitors the experience promised by over two centuries of care and maintenance of traditional human activity in a spectacular natural environment. It further threatens the integrity of the area which is a requirement for World Heritage status.

Dr John Carman taught Heritage Valuation at the Ironbridge International Institute for Cultural Heritage at the University of Birmingham, and is Editor of *Archaeologies: journal of the World Archaeological Congress*. He obtained his PhD in Archaeology from the University of Cambridge in 1993 and is also a Fellow of the Chartered Institute of Governance. He has authored *Valuing Ancient Things: archaeology and law* (Leicester University Press, 1996), *Archaeology and Heritage* (Continuum, 2002), *Against Cultural Property: archaeology, heritage and ownership* (Duckworth, 2005) and *Archaeological Resource Management: a global perspective* (Cambridge University Press, 2015) as well as co-authoring *Archaeological Practice in Great Britain: a heritage handbook* (Schofield et al, Springer 2011) and co-editing *Interpreting Archaeology* (Hodder et al., Routledge, 1995), *Managing Archaeology* (Cooper et al., Routledge, 1995) and *The Oxford Handbook of Public Archaeology* (Skeates et al., Oxford University Press, 2011).