

Newsletter 7

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Lake District Green Lanes Alliance

www.ldgla.org

contact@ldgla.org



Scientists call on LDNPA: take action now to prevent environmental damage on green lanes.

The signs of the times could not be clearer – climate emergency, nature depletion, unprecedented visitor pressure on the National Park. 43 leading environmental scientists are now asking the Lake District National Park to take immediate action for the protection of the Cumbrian Fells, an area of internationally important biodiversity. Read their appeal [here](#). They say that motor vehicles on these rural tracks are **doubly** unsustainable: 4x4s and motorbikes pollute the atmosphere; they also have a direct impact on the landscape, contributing to a loss of biodiversity through erosion and shattering the peaceful beauty of this jewel of National Parks.

Professor Mike Berners-Lee of Lancaster University, one of the signatories, said:

"Using off-road motorbikes and 4x4s on the green lanes of the Lake District is a particularly harmful form of tourism. These vehicles not only have high carbon emissions but also spoil the beauty and tranquillity of the National Park, degrading it as a visitor destination."

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Richard Leafe, the Chief Executive, responded to the scientists on behalf of the Board Members. [\(Read his letter here\)](#) It is a disappointing reply, misleading both as to the facts and the law.

Landscape character

1. It is apparent that Richard Leafe has no answer to, and therefore fails to address, one of the most important points raised in the scientists' letter, the impact of 4x4s and motorbikes on the landscape character of the Lake District. Mr Leafe writes:

“What is less clear is whether their activity is physically damaging the upland habitats as there is little evidence of vehicles straying from the unsealed roads and damaging the habitats surrounding them.” And he continues:

*“Consequently without **such evidence** the legal tests, as defined in national legislation, that **must** be applied to instate Traffic Regulation Orders (TROs) **cannot** be met and any attempt to instate a TRO without robust and verifiable evidence to support it, is open to challenge and likely failure.”* (emphasis added)

Physical damage is but one of a number of basic reasons that can be used for a TRO. Section 22 of the 1984 Road Traffic Regulation Act specifies that in National Parks TROs can be made for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area.

In the Yorkshire Dales and Peak District National Parks every single Traffic Regulation Order banning motor vehicles on a green lane was introduced for these very reasons.

It is therefore misleading to claim, as he does, that the sole basis for a TRO is “physical damage” to the habitat. This is to misrepresent the law.

UNESCO

2. Mr Leafe also asserts incorrectly that UNESCO were “fully appraised [sic] of the use of unsealed roads” before the Lake District became a World Heritage site. But ICOMOS (the UNESCO advisory body) has stated very clearly that this is not the case. In its September 2019 report ICOMOS wrote: “The



For a National Park to actively seek to keep green lanes open to heavy 4WDs and motorbikes is not merely a failure of organisational imagination, but the manifestation of its unwillingness to protect the landscape of the Lake District and to act decisively against climate breakdown.

Karen Lloyd, author of ‘Blackbird Diaries’ and ‘The Gathering Tide’

Nomination dossier did not state that MPV use was already well established - rather the opposite...” ICOMOS cites several passages from the Nomination dossier, for instance:

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“Coniston has featured in conservation battles over access and recreational use of lakes and tracks since the 1950s. These battles have focussed on the balance between recreation and quiet enjoyment. Consequently, the use of power boats and water skiing are now controlled on the lake and legal battles continue over the right to use motorised vehicles on former stock and quarry roads.”

No consultation on green lane position paper

3. We are concerned that the suggested position paper on green lane driving is apparently to be produced without consultation. Surely the local community and the wider public have a right to be heard how green lanes should be managed in the interest of nature recovery and biodiversity. Cumbria as one of England’s five pilot areas for Local Nature Recovery needs to show the way on public engagement for the protection of the environment.

UNESCO, Liverpool and the Lake District

Stripped of its status, removed from the list of World Heritage sites, no longer on a par with the pyramids and the Taj Mahal – you will have read recent reports of Liverpool losing its World Heritage status. The World Heritage Committee decided during its latest session in China to



delete Liverpool from the list, “due to the irreversible loss of attributes conveying the Outstanding Universal Value (OUV) of the property.”

The LDNPA has been told by the UNESCO World Heritage Centre that off-road vehicles on green lanes are having an adverse impact on the Lake District’s own

Outstanding Universal Value – the character and tranquillity of the landscape and the Lake District’s symbolic status as a model for conservation.

The question is simple: why would the National Park Authority want to protect motorists rather than listen to UNESCO or ICOMOS, its advisory body? In whose interest would this be, when local residents, the wider public and respondents to the LDNPA’s own surveys have made their opposition to green lane driving clear?

Historic landscape feature

The historian (and dry-stone waller) Terry McCormick was one of the people who developed the successful World Heritage bid for the Lake District. In his piece below (p. 5) you can read how

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important the green lanes are as a historic landscape feature, leading us, in Wordsworth's words, "to all the recesses of the country, so that the hidden treasures of its landscapes may, by an ever-ready guide, be laid open to his eyes."

Liverpool should serve as a wake-up call. The LDNPA has the legal tools to take action, and it should use them. Protection of the World Heritage site, action against the climate crisis and environmental protection go hand in hand.

A bout of Whataboutism (*The technique or practice of responding to an accusation or difficult question by making a counter-accusation or raising a different issue*)

A recurring argument in the LDNPA's defence of its protectionist policy towards fell track motorists is the question: but what about the traffic on tarmac roads? In a reply to an LDGLA supporter, Nick Thorne, the LDNPA's Countryside Access Adviser and author of the biased and misleading Assessment Report, had this to say:

"The levels of vehicular usage on this 4% of the [unsealed] access network is small, relatively stable, and minimal when compared to the same levels of noise, pollution, visual impact, and so on, from the many thousands of vehicles daily using the minor tarmac road network in the same areas."

In other words: your complaints about green lanes lack credibility because you don't complain about traffic on tarmac roads. But Mr Thorne surely knows that this is a separate issue and that the Authority **is** trying to address the problem of traffic on tarmac roads with its Sustainable Travel and Transport policy. People walk, ride horses or cycle on green lanes precisely because they want to get away from the traffic on tarmac roads. The legislation recognises that the issue of green lanes needs to be addressed separately. National Parks were empowered to impose Traffic Regulation Orders as "part of a package of measures introduced to control excessive or inappropriate use of mechanically propelled vehicles away from the ordinary roads network." (DEFRA Guidance for National Park Authorities making Traffic Regulation Orders)

The 4% argument

Whataboutism in the LDNPA's toolbox always goes together with the 4% argument: only 4% of the "linear network" can be used by motorists. Hardly comforting when in an area like Little Langdale 80% of green lanes are open to 4x4s and motorbikes. It does not matter what percentage of green lanes is available for an activity which the LDNPA itself called "incompatible with National Park purposes" in 2003.

The Tilberthwaite Management Group

The second meeting of the group took place on 21st June, with a membership as skewed as for the first meeting: six off-road organisations, one walker, no cyclist. If the LDNPA wanted to prove its pro-motoring bias, it could not have gone about it in a better way.

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For the first time a councillor from Skelwith Parish Council took part, and the group was told that Lakes Parish Council, which includes Little Langdale, had voted in support of a Traffic Regulation Order on the Tilberthwaite track.

GREEN LANES IN A WORLD HERITAGE LANDSCAPE

'the hidden treasures of its landscapes...' (Wordsworth)

By Terry McCormick

The Lake District is a landscape hand-made over generations by farming families and, to a lesser extent, by quarrying. Its visible legacy is a unique collection of farmsteads and their distinctive grazing system of in-by pastures and upland commons. Equally important are the features that are not immediately seen and appreciated: hogg houses, sheepfolds, wash-dubs, peat-storage sheds, walls and wall systems, intakes, out-gangs, drove roads which survive from an era, not so long ago, when shepherding work was more mob-handed and took place on the fell. Then there is the invisible landscape, all that is beneath the ground surface; culverts, waterways, drainage channels, which depend upon a uniquely knowledgeable farmer-management of water. Uniting all this together, like the veins in a tough old body, are what are now called green lanes. These were the bridle and pathways linking farms to commons, valleys to valleys for gathering in, and they give us an aboriginal map of the movement of families and communities.



Walking along a green lane, we can be taken into a zone in which centuries become our nearby yesterdays and are so much more entwined within us than we might imagine.

Terry McCormick

All these elements of a landscape are high value heritage assets, though, for sure, the less seen and invisible don't get the conservation attention they deserve. The ICOMOS Inspectors when they came to evaluate the Lake District touched upon 'the traces of the medieval agro-pastoral system

that has continued until today' (p.320) and recognised that this system is vulnerable to threats including development pressure from tourism. (p.323) The inspectors concluded 'that more attention should be paid to conservation of landscape' and its 'defining features'.(p.327) They were especially bold when they addressed the challenge for the local communities in the Lake District valleys:

'The size and complexity of the landscape subjects the region to many risk factors; however, the commitment of the managing agencies and, *most importantly* [my emphasis], the people who live there to conserving the landscape offers opportunities to develop new and innovative responses to the threats that many cultural landscapes around the world have to face.' (p.329)

Conservation for the future

This emphasis draws attention to the need for whole valley plans which can pick off issues, such as the management of green lanes, in a collaborative approach. The question a community will

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often ask is: 'where do we want our environment and society to be in ten years' time?' In a World Heritage landscape, the time scales have to be so much longer, as we think of what generations hundreds of years ahead deserve to hold and value. It is the local communities with their farmers that have the knowledge and know-how essential for innovation, and in the case of the threats to green lanes, provide a vital early warning system.

These ancient trunk-trackways are still essential and functional for farming families. But also, marvelously, with tender loving care, they offer an opening for visitors into the time-depth of the Lake District landscape. Walking along a green lane, we can be taken into a zone in which centuries become our nearby yesterdays and are so much more entwined within us than we might imagine. As many of us are lucky to know, this also is deeply releasing and tranquil; just the sort of adventure which should be at the heart of a World Heritage landscape:



'Owing, however, to the population not being concentrated in villages, but scattered, the valleys themselves were intersected as now by innumerable lanes and path-ways leading from house to house and from field to field. These lanes, where they are fenced by stone walls, are mostly bordered with ashes, hazels, wild roses, and beds of tall fern, at their base; while the walls themselves, if old, are overspread with mosses, small ferns, wild strawberries, the geranium, and lichens...It is a great advantage to a traveller or resident, that these numerous lanes and paths, if he be a zealous admirer of nature, will lead him on into all the recesses of the country, so that the hidden treasures of its landscapes may, by an ever-ready guide, be laid open to his eyes.' *Wordsworth, A Guide through the District of the Lakes*

Terry McCormick, historian and author, has recently published 'Wordsworth & Shepherds' in The Oxford Handbook of William Wordsworth (2015), and Lake District Fell Farming, Historical and Literary Perspectives, 1750-2017 (Bookcase, Carlisle, 2018). Terry was an active member the National Park's Technical and Advisory Group which developed the successful World Heritage Site bid for the Lake District.

www.ldnpa.blog – a dispassionate look at Lake District problems

The National Park Authority has in recent time been accused of favouring developers and motorists, rather than concentrating on the protection of a unique national treasure. What is the evidence on this, for and against? A new blog, written by a former planner, offers a dispassionate look at leisure, housing and transport in the Lake District, including green lanes. Read it [here](#).



The blog includes a discussion of just how much influence a planning bureaucracy can have, and looks at a number of recent examples of major planning decisions.

It is not difficult to indulge in uninformed planner-bashing, so the blog identifies the constraints under which planners operate. One problem is that the National Park Authority lacks adequate transport powers. But at the same time the Authority does not give enough consideration to the capacity of the Lake District to cope with the likely trends in demand for accommodation, tourism and transport.

Criticism and suggestions for expansion welcome. E-mail: paul.truelove@btinternet.com

Frank Judd, 1935 - 2021

Frank Judd (Lord Judd of Portsea) who died in April this year was a tireless friend and champion of the Lake District. He was a Patron and former President of Friends of the Lake District and he served for many years as Vice President of the Campaign for National Parks. He was also a prominent and long-standing opponent of green lane driving. An honorary member of the Green Lanes Environmental Action Movement, he played a key role in the House of Lords in pressing at every opportunity for effective legislation to finally put an end to off-road vehicles causing damage to the countryside. Throughout his life he was devoted to the causes of social justice and human rights. After serving as an MP and Minister he was Director of Voluntary Service Overseas and then Director of Oxfam. He became a Member of the House of Lords in 1991. He is a huge loss to the Lake District and to National Parks more generally and we mourn his passing.