

Protecting the beauty and tranquillity of our green lanes

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High Nibthwaite to Parkamoor – the grim reality captured on YouTube

Almost every day of the year, in all seasons, motorbikes and 4x4s, single and in convoys, leave the tarmac road in High Nibthwaite and drive up a track with one of the most stunning views of the Lake District over Coniston Water and the hills to the north and west. This track is a cul-de-sac for motorised users, but provides access for walkers, cyclists, horse riders and users of disability scooters to a network of bridleways across Bethacar Moor common and into Grizedale Forest.

Driving a 4x4 or riding a motorbike on this track causes ecological damage through erosion and runoff into the adjacent SSSI, it introduces unacceptable noise levels into a peaceful village and makes walking or cycling on the track an experience you would rather forget.

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In our last [newsletter](#) we reported on a group of off-road motorists proudly documenting their exploits on this route. There is now another [YouTube video](#) (it's worth turning on the sound) showing the full extent of the devastating impact of a 4x4, with wheels spinning, damaging the surface and thoroughly spoiling this spectacular and historic track for everyone else. This driver also damaged the environmentally sensitive vegetation of Bethacar Moor by driving off the route, as do other recreational motorists.



All this is happening not far from Brantwood, the house John Ruskin built on the shores of Coniston Water. What would he have made of this type of destructive tourism? To quote the director of Brantwood, Howard Hull: “Underneath a colourful rebuke would be his concern for the ways in which they damaged and degraded the tracks and surrounding environment for purely personal satisfaction, and how their presence would spoil the ability of others to slow down and enter into a more meditative engagement with nature.”

As the LDNPA [website](#) shows, there is an existing TRO on this route, made by Cumbria County Council in 2003. It says that “no person shall cause any motor vehicle to proceed in the lengths of road detailed in the attached Schedule.”

It specifies that this shall only apply “at such times and to such extent as is indicated to drivers and riders by the appropriate traffic signs.”

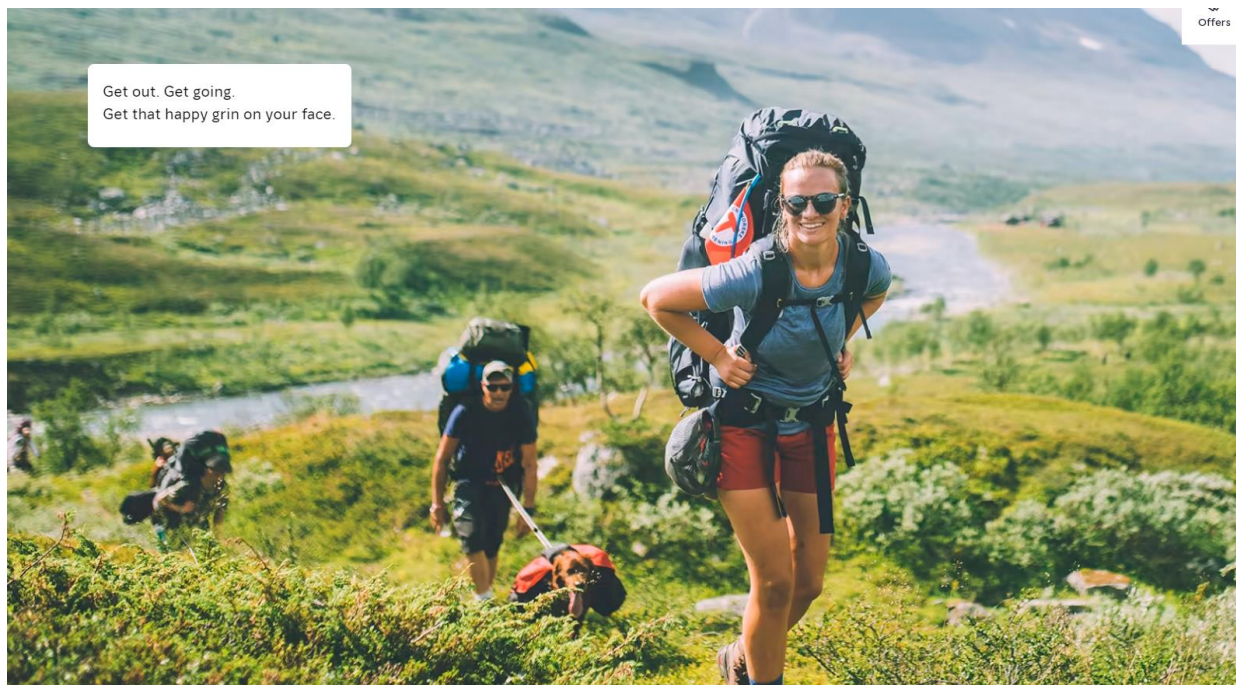
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So the urgent task for both the National Park and Westmorland and Furness Council is to apply the TRO by putting up the appropriate traffic signs.

When the TRO was made in 2003, the average number of motor vehicles using this route per day was 5.0 (18 December 2001 to 25 September 2003). By the 12 months starting December 2021, this average had more than doubled to 13.3 per day.

Getting this done shouldn't be too difficult, should it?

Friluftsliv – a Norwegian idea for the Lake District



When you think of Norway, Friluftsliv probably doesn't immediately come to mind. It means something like outdoor living, and it's a concept protected by law. According to the Norwegian government, Friluftsliv is a "core element of Norwegian cultural heritage and national identity". You can even do a degree in Friluftsliv at the Norwegian School of Sport Sciences.

The school's [website](#) makes it clear that Friluftsliv is more than just an effort to get people outdoors. It combines outdoor experiences with a caring attitude towards nature, a radical environmentalism that is not limited to a few activists but has become a daily reality for many Norwegians. All this may well be part of the explanation for Norway's top ranking in the happiness index.

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We spoke to Siri Meland, Head of Community Relations at Friluftsliv, about what the concept means for Norwegians' relationship to nature and what activities are seen as appropriate, including motorised tourism on mountain tracks.

Could you explain how Norwegian nature legislation affects the use of motor vehicles for leisure purposes?

In Norway, we have national legislation that says motor vehicles in nature are not allowed. But the law does make some exceptions. Some people have



been pushing for a long time to be able to drive with snow mobiles in the winter in Norway, so now snow mobiles are allowed, not everywhere but on certain tracks and these are agreed and regulated by the local community. But this still does something to the area as it smells and it's loud. It's not a good thing for the traditional idea of outdoor life as we define it in Norway.

It's a debate about values, what kind of outdoor life do we want in Norway, because the outdoor life is very important and is a value that we all appreciate. Peace and quiet are a particularly important part of it. Even young people say they go into nature to experience peace and quiet, and being in something that is bigger than themselves.

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Friluftsliv is a combination of three words: it's free, it's in the air, and it's life – “free air life” - but for Norwegians it means a lot more. It doesn't refer to activities alone, it's also about relaxing and observing the quietness, resting and being in nature; just sitting in nature is Friluftsliv in Norway. For Norwegians, the word also has a deeper meaning of disconnecting from daily stress, being a part of the cultural “we”, because 9 out of 10

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Norwegians practise Friluftsliv. 70% of Norwegians do this several times a week. It's an important part of our daily life that binds Norwegians together as human beings, as a part of nature and a part of our common culture.

What activities are seen as compatible with nature?

Walking, cycling, sailing, hunting, berrying and mushroom picking, fishing, sleeping in a tent or hammock, climbing, bathing, skating and cross country skiing in the winter.

And in all these activities calm and tranquillity are central. I go out into nature, often alone, not together with others, but alone. I go into the woods and pick mushrooms, I go on a kayak trip and I do it alone because I need to decompress from daily life.

Motor vehicles all create their own disturbance - noise, fumes, taking up the whole track. Do similar things happen in Norway?

No, they don't because we have a lot of national legislation in Norway. One law is about using snowboards, snow mobiles, or transporting dead moose if you have been hunting. So all this is really well regulated. Motor vehicles are not allowed anywhere in nature and if you get caught you will have a huge problem. We have police in the mountains using helicopters and if they catch people where they're not supposed to be with their vehicles, they are heavily fined.

In Friluftsliv there is a connection with Ibsen – what is that?

In 1859, Ibsen wrote a poem called In the Heights and 250 copies of it were actually sent to England. This is the first time that the word Friluftsliv. appears in Norwegian, so it's not a very old word but a word that Ibsen coined. But it was as early as 1274 that the Right to Roam was first mentioned in the Norwegian Constitution.

“
*Air, and
time to think at
leisure.*
On the Heights, Henrick Ibsen

If a National Park Authority tells you to go and sort it out with the motorists, to come up with a compromise - what do you think of that approach?

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There is no possibility of a compromise. Those who are looking for peace and quiet want to be in nature; those who want to use a motor vehicle have a quite different attitude. But maybe if they understand that they are actually destroying the surface, the ground and nature and the historical legacy that could be an important argument. In Norway when tourists understand that the huge cruise ships are destroying the fjords they don't want that, and they don't want to be labelled as destroyers of nature.

Do you think the concept of Friluftsliv. is purely Norwegian or could it be applied in other countries?

Yes, I think it could. But I think Norway is probably where the culture of outdoor life is strongest. I think it's possible to apply it in other countries, but then you'd need legislation.

The Tilberthwaite Partnership Management Group (please don't mention a ban)

In October 2019 the LDNPA decided to establish a "Partnership Management Group" on the future management of the route from High Tilberthwaite to Little Langdale. The UNESCO advisory body ICOMOS had explicitly warned against this solution, calling it inadequate.

But the Authority went ahead all the same, confining the group's mandate to monitoring and maintenance and sidestepping the central question: should motorised access be restricted in this cherished landscape?

The Rights of Way Committee has now received a report on the management plan agreed by the group – and the analogy that springs to mind is that of a mountain (perhaps Wetherlam) labouring to give birth to a mouse. The recommendations? Simply put: continue monitoring and maintain the route. But here lies the irony—the LDNPA had already committed to UNESCO that it would monitor the route, and maintenance is a statutory obligation. So why allocate precious resources to a group whose purpose was seemingly to state the obvious?

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What now?

The World Heritage Committee, UNESCO's highest authority, issued two clear directives to the LDNPA on green lanes:

- Monitor all unsealed roads to assess the impact of off-roading on the Outstanding Universal Value
- Use the existing legal tools to end motorised access in 'highly sensitive and emblematic valleys'.

This imperative cannot be brushed aside. The LDNPA must focus its monitoring efforts on the green lanes known to be problematic—those classified as 'red' and 'amber' under the old Hierarchy of Trails Route.

The LDNPA must also decide which valleys are 'highly sensitive and emblematic'. One of them, described in the World Heritage bid as 'iconic', is Langdale, including Little Langdale. Another is the neighbouring Coniston valley.

The 'existing legal tools' to end motorised access in these valleys refer to Traffic Regulation Orders (TROs). So the question is whether the TRO criteria are met, for example on the Tilberthwaite route. The list includes:

- for **avoiding danger to persons** or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
- for **preventing damage to the road or to any building** on or near the road
- for **preserving the character of the road** in a case where it is especially suitable for use by persons on horseback or on foot,
- 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. This includes conserving its flora, fauna and geological and physiographical features.

So do any of these criteria apply? Responding to the LDNPA's 2019 online survey 76% of those who had never used the road with a motor vehicle stated that motor vehicles had an impact on their enjoyment. Of those

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- 12% had safety concerns.
- 17% were concerned about damage to the surface – which had just been repaired at great public expense.
- 49% were troubled by the noise of motorbikes and 4x4s.
- 60% thought that motor vehicles have a negative impact on the opportunities for quiet enjoyment.



No public body gets everything 100% right all of the time.

Other National Parks and local authorities would have regarded this as sufficient evidence to opt for a TRO.

The LDNPA's response to UNESCO seems uncertain. It has decided to conduct yet another – the 3rd - survey on the Tilberthwaite route, on-site, restricted to those who happen to be on the track on specific days at specific times. This is not much more than an opinion poll using an unrepresentative sample, without taking into account the views of residents, Parish Councils or mountaineering clubs in the area. People who have used the route in the past and have informed views about motorised access will not be heard if they don't happen to be present on a few survey days.

Why does the LDNPA persist in overlooking the evidence already at its disposal, or disregarding the views of those for whom recreational motor vehicle use on green lanes tarnishes their experience of the Lake District?

No public institution always achieves flawless decision-making. The hallmark of a responsible organisation lies in its ability to evolve and adjust in response to new information and fresh perspectives, engaging constructively with its critics. While infallibility might have its place in religious doctrine, it's not quite so appropriate in public governance.

How far we have departed from those fundamental principles that gave rise to the establishment of National Parks becomes strikingly evident in the following excerpts from key documents.

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Back to basics: the Dower report 1945 and other documents on the purpose of National Parks

John Dower's report on National Parks in England and Wales became the foundational document for National Parks. It was published in 1945 – and it's easy to forget today how much this initiative was, in Dower's own words, part of the "programme of reconstruction" after the war. The enthusiasm and vision behind the creation of National Parks in England and Wales should guide the way we look after them today.

Below are some key passages from reports by John Dower (1945), Lord Sandford (1974) and Professor Ron Edwards (1991). They are essential reading for anyone making decisions about motorised access to green lanes.



One restriction on the type and volume of visitors is, indeed, desirable, namely, that those who come to National Parks should be such as wish to enjoy and cherish the beauty and quietude of unspoilt country and to take their recreation, active or passive, in ways that do not impair the beauty or quietude, nor spoil the enjoyment of them by others.

Dower Report 1945



We should say at this juncture, for the avoidance of doubt, that recreational uses of national parks must be compatible with the qualities of the parks, among which a sense of tranquillity and of contact with nature seem to us to be of especial value. Accordingly noisy pursuits will nearly always be out of place in national parks ...

Lord Sandford 1974

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Recommendations

5.1.1 The forms of outdoor recreation to be encouraged in national parks should only be those which involve the quiet enjoyment of the areas, and which do no lasting or serious damage to the parks' environment and other people's enjoyment of it.

5.1.2 Noisy and intrusive recreational activities should be permitted only on sites where they cause no undue annoyance to other park users and no lasting environmental damage to the fabric of the park itself."...

Professor Ron Edwards, Chairman, Countryside Commission 1991