

Ms Rebecca Willis



Lake District
National Park

By e-mail

r.willis@lancaster.ac.uk

30 June 2021

Dear Ms Willis

Our Reference: ExBd/RL/CM
Subject: Use of unsealed roads in the Lake District National Park

Thank you for your e-mail of 21 June 2021 to Members of the Authority, in which you represent a group of researchers who have concerns regarding the use of motorized vehicles on unsealed roads, and their contribution to climate change and sustainable land management. I have been asked by the Chairman to respond to you on behalf of our Members.

We appreciate your acknowledgement of the Authority's commitment towards addressing the impacts of climate change and resilience, and our support and leadership with regards to developing sustainable transport measures as one element to addressing this primary concern.

Also we appreciate your specific concern regarding the motorized vehicle use on unsealed roads within this National Park, though of course such use extends nationally across other areas.

As a general principle we would agree that many of the vehicles using these unsealed routes are internal combustion engine (ICE) vehicles with high carbon emissions, and whether they are on unsealed roads in the park or on sealed roads on their journey to it, they are contributing to the problem of pollution. 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. 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.

The Lake District National Park has around 75 sections of unsealed roads amounting to around 120.6km in length, which is approximately 3.7% of the 3281.9km public network. Other users enjoy the following use; walkers 100% of the whole network, cyclists and horse riders 1073.6km or 32.8% of the whole network, and carriage drivers 150.8km or 4.6% of the network.

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We are currently applying evidence gathering and monitoring activities on a number of routes, and have established a management group made up of representatives of land managers and groups both for and against the continuing use by vehicles on one such high profile route. Their role is to make recommendations to us and the County Council who can also instate TRO proceedings if necessary.

In addition to the many routes that had vehicular rights on them that were closed as part of the Natural Environment and Rural Communities Act 2006, (which as an unintended consequence condensed vehicular users on to a smaller available network of unsealed roads), we have successfully applied TROs to four routes in the past where the evidence has been sufficient to either remove the vehicular rights, or to restrict them. As in the case of the Gatescarth Permit TRO whereby vehicles are limited in size, numbers and the days on which they can access the route. This is an example of consensus management underpinned by a TRO which has operated successfully for a number of years without significant issues from those on either 'side 'of the debate.

UNESCO were fully appraised of the use of unsealed roads before they inscribed the Lake District with World Heritage Status and they require us to update them on this issue as part of the State of Conservation report that we make to them, and of course we will respond to any requests made to us with regards to this or other issues.

In the meantime, we would respond to any changes in national legislation as we did in 2006 when the natural Environment and Rural Communities bill was passed and a number of unsealed routes were closed to vehicles. Since that time we have worked with partner agencies in ensuring compliance with the change of status of these routes through provision of information, promotion of educational messaging and direct enforcement.

We have developed a draft position statement in relation to unsealed roads and are working towards a joint document with Cumbria County Council who have ultimate responsibility for the roads within the park.

Our work in relation to 'Smarter Travel 'initiatives continues and we hope that this too will play a part in reducing the environmental impacts of travel to and within the park.

Thank you for your interest in this important matter. Whilst there is no quick and easy answer to the issues raised by the use of the unsealed roads, we continue to pursue solutions within the limits of existing legislation and resources.

Yours sincerely



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