



LAKE DISTRICT AREA
www.ramblers.org.uk/lake-district

Tel:
Email:
30/9/2019

To Cumbria County Council
Countryside Access Team

**HIGHWAYS ACT 1980 AND WILDLIFE AND COUNTRYSIDE ACT 1981
CUMBRIA COUNTY COUNCIL (UNRECORDED FOOTPATH AT BAILEY LANE
PARISH OF GRANGE OVER SANDS) PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2019**

The Ramblers Association objects to the order diverting the unrecorded footpath at the Bayley Lane rail crossing in Grange over Sands.

Our reasons for objecting are:

1. Prior to the temporary closure of the unrecorded public footpath in 2017 Bayley Lane provided direct and effectively vehicular traffic free access to the promenade. From Crown Hill (Grid. Ref. SD 408 779) the distance to point X on the order plan is some 120 metres. The diversion will add some 370 metres to reach the same point X. The total distance from Crown Hill to point X is therefore 490 metres, 4 times as long as the direct route prior to 2017. This excessive additional distance is a significant inconvenience to all those who have previously used the direct route.
2. Access to the promenade is limited by the necessity to cross the railway line. Prior to the temporary closure order there were 4 access points to the most popular part of the promenade between the railway station and the Lido. Closure of the footpath at the Bayley Lane crossing will result in only 3 access points being available, which reduces the opportunities for the public to take circular walks from the town to include part of the promenade. In our view this is a loss of a public amenity.
3. It is possible that the diversion route between points I and P could well be impeded by poorly parked cars. The diversion order does not make clear how this will be prevented.

The Ramblers' Association is a registered charity (England & Wales no. 1093577, Scotland no. SC039799) and a company limited by guarantee, registered in England & Wales (no 4458492). Registered office: 2nd floor, Camelford House, 87-90 Albert Embankment, London SE1 7TW.

4. If the diversion order is confirmed then it seems most likely that most of the users of the previously direct route will be reluctant to walk down Bayley Lane because they will have to 'double back' on themselves to reach the underpass. The more convenient route taken from Crown Hill will be along the pavement of the busy Main Street to then turn down the narrow road (no pavement) passing around the Commodore Hotel and across the public car park to reach the underpass. This 'de facto' diversion route is used by vehicles to access the car park and therefore pedestrians are at a greater risk of injury than when previously using the traffic free Bayley Lane.
5. Whereas a council may make an order under section 119A if the order is expedient in the interests of safety of the public using the crossing (section 119A(1)), the Secretary of State may not confirm an order (section 119A(4)) unless he is satisfied that it is expedient to do so "having regard to all the circumstances". Although the order prescribes an official "new route", It would be artificial and intellectually dishonest to think that the public's likely use of the dangerous route by the Commodore Hotel was not one of the circumstances to which the Secretary of State must have regard. The Ramblers will invite an Inspector to find that it is not expedient to confirm the order having regard to this danger, and having regard to the likelihood of parked cars on the I-P section, and to the significant extra distance of the alternative route proposed in the order.
6. Referring to section 4.3 of the 'Memorandum of Understanding between Network Rail, ADEPT, LGA & IPROW' Ramblers think this diversion will displace the public onto busier sections of the local highway network and a road safety audit should be carried out.

Area Footpath Secretary
The Ramblers Association (Lake District Area)

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