

STATE OF CONSERVATION REPORT
BY THE STATE PARTY
(in compliance with Paragraph 169 of the *Operational Guidelines*)

STATE OF CONSERVATION OF THE ENGLISH LAKE DISTRICT WORLD HERITAGE SITE
(UNITED KINGDOM) (422REV)

In accordance with the request of 4 February 2021 from the World Heritage Centre to the UK Government (Ref: CLT/WHC/EUR/21/13084), the State Party has produced a State of Conservation Report for the English Lake District World Heritage Site.

As requested, this report is structured according to the format set out in Annex 13 of the *Operational Guidelines*. The specific points raised in the World Heritage Centre's request are reproduced in italics. The response of the State Party is not indented and does not use italics.

1. Executive Summary of the report

In accordance with the request by World Heritage Centre (Ref: CLT/WHC/EUR/21/13084) the United Kingdom State Party has produced a State of Conservation Report for the Lake District World Heritage Site.

The following report also provides an update on previous correspondence (paragraph 174 letters and ICOMOS Technical Reviews), and a further update on the progress towards addressing each of the recommendations included in Committee decision 41 COM 8B.30.

This report confirms that the English Lake District National Park Partnership (LDNPP), which represents the 25 Organisations that oversee the management of the English Lake District World Heritage Site with the advice of Historic England and State Party organisations, is working to safeguard the OUV of the property and address the nine recommendations made at the time of inscription in 2017.

It further provides an update on progress on managing the changing agricultural funding situation due to the United Kingdom's departure from the European Union, to continue to support farming traditions, and making the property more resilient by addressing risks such as flooding and drought. It outlines the developing programmes to prevent depopulation, mix of commercial outlets and develop and market local products. It also sets out how landscape-defining features are being monitored.

Due to the current pandemic and financial constraints resulting from lockdowns and additional visitor management issues, the Partnership has not able to advance the development of an interpretation strategy at the present time.

The State Party welcomes the opportunity to demonstrate the measures that are in place to ensure that the OUV, integrity and authenticity of the English Lake District is sustained.

2. Response to the request from the World Heritage Centre

The letter from the World Heritage Centre (CLT/WHC/EUR/21/13084) included the request for an update on previous correspondence to paragraph 174 letters and ICOMOS Technical Reviews. Recommendations from those Technical Reviews have been referenced in the response below.

- i) In 2019, the World Heritage Centre and ICOMOS International provided four Technical Reviews, with comments and recommendations related to activities on the site (off-road vehicles on the unsealed roads) a tourism infrastructure plan (the Honister zip wire project), and the State of Conservation (SOC) report submitted by the State Party in line with the World Heritage Committee **Decision 41 COM 8B.30** in December 2018. While information and comments were provided by your national bodies for some of the third-party concerns and Technical Reviews, not all issues were followed up, and no feedback was received in relation to the evaluation and recommendation concerning the last SOC report.*
- ii) With regard to practices and planned projects, concerns were raised in relation to their ascertained and potential adverse impact on various attributes of the property that convey its Outstanding Universal Value,*
- iii) additionally, advice was given to further explore and monitor issues that were included in **Decision 41 COM 8B.30**, item 4.*

In response to this request from the World Heritage Centre the State Party offers the following updates on planned and proposed projects within the WHS where concern was raised in relation to their impact on various attributes of the property that convey its Outstanding Universal Value. These are set out in reference to the relevant Technical Reviews relating to these matters.

CLT/WHC/EUR/19/11469– Gondola/Cable Car

Further to the previous correspondence on this matter (April 2019) the State Party is able to confirm that the Lake District National Park Authority (LDNPA) is not actively considering a gondola/cable car at Whinlatter nor are they discussing it with Forestry England. Furthermore the Local Plan, which was adopted in May 2021, does not include a policy in relation to a gondola/cable car at Whinlatter.

Discussions on the masterplan and any future proposals will occur when Forestry England has determined their plans as landowners. Any proposals for development will be subject to the planning process by the LDNPA and the public will be involved in the event an application is submitted (through the normal public consultation process under the English planning system).

An extract from the new Local Plan which has now been adopted is included at **Annex A** which sets out the policy for the North Distinctive Area, including Whinlatter.

CLT/WHC/EUR/18/11015 - Royalty Cinema

The State Party is able to confirm that, as per previous correspondence (August 2018) there are no proposals for demolition or redevelopment of the Royalty Cinema in Bowness on Windermere.

The only recent application for the cinema was for a satellite dish on the side elevation of the building which was approved in 2019.

CLT/WHC/EUR/18/11015 - Path Repairs

Further to previous correspondence on this matter (August 2018), the State Party can confirm that repair works to existing paths continue with locally collected stone. The method of laying stone on the steep slopes remains as previously described.

CLT/WHC/EUR/19/11557 - Geological Disposal facility

The State Party received a request from the World Heritage Centre (18 March 2019) to provide clarification on the Government's proposed National Policy Statement for a Geological Disposal Facility and its potential to adversely impact the OUV of the WHS.

The response from the State Party on 17 April 2019, confirmed that there was no definite proposal as yet nor site chosen for a geological disposal facility (GDF). It was confirmed that the pre-submission Local Plan policy 28 (now renumbered 29) indicated that the Lake District National Park Authority would not support a GDF for radioactive waste in or under the National Park.

The Local Plan review has been through consultation and reviewed by the Planning Inspectorate and was adopted in May 2021. The policy regarding GDF is as set out in **Annex A**.

The local planning authority's Local Plan policies support development on previously developed land which minimises construction and demolition waste. They do not support new, or extensions to, landfill sites for waste disposal with the exception being the use of inert waste for agricultural land enhancement, such as land improvement, business enhancement and biodiversity. Similarly they do not support a geological disposal facility for radioactive waste in or under the Lake District National Park.

When making a decision on future development consents for hazardous waste infrastructure the Secretary of State will also have regard to any local impact report submitted by a local authority in accordance with the Planning Act 2008.

The Local Authorities of Copeland and Allerdale which have some administrative, but not planning, responsibilities within the WHS and National Park have set up working groups to look into the issue of

GDF. The local authorities involved in both working groups have set out their clear position in relation to the lack of consideration for a GDF within the WHS.

The initial review areas for each of those working groups have both excluded the area within the Lake District National Park/English Lake District.

CLT/WHC/EUR /19/12394, 19/11739 and 20/12685 - Honister Zip Wire

Following extensive correspondence on this matter, the last in August 2020, the State Party is able to confirm that planning permission was only issued after the applicant satisfied Natural England's concerns and the permission granted was subject to conditions requested by Natural England.

This application was subject to extensive consultation and underwent government scrutiny by the Government National Planning Casework Unit (part of the then Ministry of Housing, Communities & Local Government - MHCLG) prior to the granting of planning permission. Planning permission was granted on 3 September 2019 subject to conditions.

The Technical Review from ICOMOS was received after planning permission had been granted.

The State Party is aware that UNESCO and ICOMOS do not as a general rule consider mining and quarrying activities should be permitted within WHS (Decision **37 COM 7**). However, in response to the 9 recommendations from UNESCO at the time of inscription the LDNPA indicated the need to retain small local quarries as these provided the unique local building material which is a distinctive character of the English Lake District and noted that imported materials would be unsustainable and not reflect the character of the area. ICOMOS summarised the State Party's submissions on this matter in their Technical Review (CLT/WHC/EUR/19/12378 17 December 2019) but did not comment further in this regard.

This proposal was for an existing operation and the works were not intended to expand the quarry area. LDNPA has confirmed that they would not permit new green field quarrying.

The existing planning permission has not been implemented and expires on 3 September 2022 unless work commences before that date.

The State Party is aware from the LDNPA that the site operator is looking at some alternative proposals but is not aware of any plan to submit a new application at this stage.

CLT/WHC/EUR/19/11469 - Tourism infrastructure

The visitor economy is crucial to the Lake District, as recognised in the English Lake District Management Plan. The State Party previously highlighted the Management Plan Strategies for managing the visitor economy and infrastructure which can be found in section 3 of volume 4 of the English Lake District nomination document.

During the Covid-19 pandemic there has been a particularly noticeable increase in staycations resulting from restricted international travel. The inscription of the English Lake District as a World Heritage Site, together with the presence of Hadrian's Wall World Heritage Site, will assist in the post Covid-19 recovery, including when international travel resumes more freely.

A review of the joint National Park and WHS Management Plan is currently under way. The Management Plan is being updated to take account of matters such as alignment with the UN Sustainable Development Goals, and Climate Change. Strategies being drafted (see

Annex B) will address the need to ensure the exceptional beauty of the Lake District landscape is taken account of in proposals for both land and development management; ensure that growth in the visitor economy is sustainable for this landscape; seek to identify opportunities to appreciate and experience the unique cultural landscape of the Lake District; and encourage responsible tourism with specific reference to appreciation and understanding of OUV.

Since inscription, the Lake District National Park Authority has adopted a new Local Plan which includes a range of policies for managing development and tourism (see **Annex A**).

CLT/WHC/EUR/19/12199 - Tilberthwaite and Oxen Fell Unsealed Roads

ICOMOS issued two Technical Reviews (TR) on this matter, both received at different times on 8th October 2019.

The decision of the Lake District National Park Authority's Rights of Way Committee on 8th October 2019 advised Cumbria County Council to maintain the road surfaces of both Tilberthwaite and High Oxen Fell Roads in their current condition. In relation to High Oxen Fell Road they agreed to work with the County Council and the National Trust to help monitor surface condition.

The decision by the Rights of Way Committee acknowledges the need for active management of the Tilberthwaite public road. A partnership management group of invited key partners and stakeholders "The Tilberthwaite Partnership Management Group" referred to in the decision has now been initiated to monitor usage and condition and to undertake necessary activities to help mitigate any new issues that may arise. Its inaugural meeting was on 25 March 2021 and it subsequently met on 21 June and 11 October 2021. The purpose of the Group is set out in their Terms of Reference (see **Annex C**) but is expected to continue monitoring use, attitudes, surface condition and other factors in the future. The group will report back to the LDNPA Rights of Way Committee with the new evidence that they have collated.

The State Party is aware that there are differences in opinion in relation to the interpretation of data sets included at **Annex C** and the issues they relate to and in relation to the Rights of Way Committee decision. Further discussion is ongoing and will inform the next stages of decision making.

The State Party will seek to ensure - through the Partnership and advisory groups involved in the Management Plan process for these routes - that all relevant impacts on OUV including on tranquillity and beauty and the natural landscape are addressed.

Actions taken and needed to address points made within the Technical Reviews

National Parks have powers to ban the recreational use of motor vehicles on unsurfaced roads to protect natural beauty and such measures have been implemented in two other National Parks in northern England - the Yorkshire Dales and the Peak District. The LDNPA is prepared to ban vehicles on these unsealed roads if there is sufficient evidence of harmful impact on OUV. At present they consider there is insufficient evidence to support the decision for such a ban. Consequently, the Authority has put in place measures to monitor the situation and gather data on use to ensure that

future decision making is robust. Monitoring information collated to date is set out at **Annex D** along with a description of the approach to Traffic Regulation Orders (TROs).

A Heritage Impact Assessment (HIA) was undertaken on use by vehicles on the two routes identified above. The routes are existing and the surface damage caused by extreme weather events and usage has been repaired. As monitoring continues the State Party will ensure that the WHC is updated in relation to its findings and any conclusions drawn to form a basis for future discussion regarding the management of this issue within the WHS. At the time of this report the LDNPA has indicated that the surface of the Tilberthwaite Road has been repaired and that in their opinion there has been no deterioration of the WHS since inscription in 2017.

The State Party will continue to monitor the issue of motor vehicle use on green lanes within the WHS with input from Historic England and other UK Government organisations. It is aware that only two unsealed roads are currently being monitored and further measures may be required to develop a more comprehensive understanding of the extent of the issues and impacts of this activity with the WHS. Issues have also been reported in relation to U5015 (the Mountain Road) which was closed to 4x4s in 2018 for repairs; unauthorised repairs to green lanes in 2020 by a commercial hire company and interest group; conflict between pedestrians and motorbike users on Gamblesmire Lane; damage to land adjoining Breast High Road requiring repairs under a grant of £325,000; damage to drystone walling on the green lane between Sadgill and Kentmere in 2021 by recreational 4x4 vehicles. The State Party is also aware that ICOMOS's concerns, despite the wording of the Technical Reviews, is not solely focused on 4x4 vehicles and also extends to other off-road motorised vehicles, including motorbikes. It has noted ICOMOS has recommended that the LDNPA needs a green lanes policy and that it considers action is needed to eliminate the use of 4x4s on these routes. It is further aware that there is a high level of support in the communities most affected for the implementation of TROs

The State Party has responded to requests for information on all paragraph 174 correspondence received from the WHC. It will continue to report to the WHC on relevant matters and as a better understanding of this particular issue and any impacts on OUV are developed by the Local Authority and those responsible for management and use of the English Lake District.

iv) The State Party was encouraged to develop projects, which relate to proactive strategies for the farming community, balancing funding for natural and cultural resources, flood prevention measures, supporting local communities and interpretation. Already implemented projects were advised to be monitored in order to check their effectiveness.

In the following sections recommendations from ICOMOS (d) to (i) in Technical Review CLT/WHC/EUR/19/12378 structure the response of the State Party. Comments from ICOMOS in that Review are included in italics below each heading.

d) Proactive strategies with the farming community to support the viability of the shepherding tradition.

ICOMOS is concerned about the continuity and maintenance of the farming activities....

Farmers and shepherds do not have clear answers as to what will happen post-Brexit, as new trade deals and markets usually take years to agree.

The UK Government, through the Department for Environment, Food and Rural Affairs (DEFRA) has published the **agricultural transition plan**, setting out the path for sustainable farming in England. This states that the amount of funding for the delivery of measures that support public objectives, including protection of heritage features, will increase through the period 2021-2027. Although the exact form of future farm support is not yet defined, Defra have committed to co-designing the policies with farmers and other experts through this transition to continue to support the kind of traditional farming system which forms a part of the OUV of the WHS. The Lake District National Park Partnership (LDNPP) is contributing to the UK Government's development of national farming strategies, policies and funding through, for example, the work of the Post CAP group and ELMS Test and Trial.

UK Trade and agricultural policy implementation

The UK Government published its Agricultural Transition Plan 2021-2024 for England in November 2020. This provides detail on agricultural policy implementation to enable farmers and the Partnership to start to plan in more detail. The detail of how trade with the EU and other countries will develop after the departure of the UK from the EU is now being made clear and the immediate impacts on upland farming in the Lake District have not been adverse. Lamb prices have been running at ten-year highs, the price of beef has also made a very strong recovery and the average income on livestock farms in less favoured areas actually increased by almost 50 percent.

Covid-19 Pandemic

The Covid-19 pandemic has had an immediate and significant impact on the resources of organisations of the LDNPP and this is expected to continue into the medium term. Partner organisations are more stretched, are having to re-prioritise their strategies and delivery, and will have fewer people and less money. This could impact on the ability to support and implement strategies with the farming community to support the viability of the shepherding tradition. Covid-19 has also had an impact on local communities and visitor profile all of which have impacted on the hill farming traditions of the Lake District.

Local Activities

The Partnership's Plan 2020-2025

Hill farming households are very commonly sustained by a mix of household income from multiple family members: the core farming enterprise; Basic Payment Scheme; Agri-environment schemes; on

farm diversification; off farm employment. The LDNPP is therefore working on a Partnership Plan that will enable a thriving rural economy that can offer a diverse range of these opportunities that will sustain hill farming families and their core farming enterprises.

The LDNPP established its Post-CAP (Common Agricultural Policy) group in late 2017 to work on strategies and approaches to farming, forestry and land management in the National Park in response to the UK departure from the EU. In June 2019 the Post-CAP group was asked by the LDNPP to lead the development of the next Partnership's Plan for 2020-2025 in the integrated themes of Farming and Forestry, Nature Recovery, and Climate Change. This will set the direction of travel, strategies and approaches for the next five years. The group has worked on this including testing its thinking with farmer engagement in January to March 2020 and again in January 2021. The LDNPA has employed a farming officer (who is a farmer herself) to improve engagement with farmers. The attributes of OUV, including the cultural heritage of hill farming systems are a key component of this theme.

In September 2020 the Post-CAP group's work resulted in a draft paper which sets out the challenges and opportunities, and the ambition and objectives for these themes for the Partnership's Plan. The group is now developing its proposed approaches and actions to achieve the ambition and objectives. The Group proposes that for hill farms to survive and thrive they need to be able to respond positively to the challenges and opportunities of the Government's direction of travel of "public money for public goods", develop future diversification opportunities, and adapt their economic farming enterprises.

Public goods could include: improved soil health, improved water quality, better air quality, increased biodiversity, climate change mitigation, enhanced beauty, heritage, and engagement with the natural environment. Hill farmers will need to contribute to food production, nature recovery, Net Zero Greenhouse Gas and climate adaptation, at the same time as sustaining the cultural heritage of the traditional hill farming system and native breeds.

The implication is that, in responding to the need to provide such public benefits, the farming community will be supported financially, and this will help sustain the traditional farming practice which forms a part of the OUV. The defined attributes of OUV and components for the Lake District's agro-pastoral system set out clearly what needs to be sustained.

The Partnership will use the resources and mechanisms at its disposal to enable and support farmers to adapt to the new trade and policy conditions over the coming years whilst sustaining the farming traditions. In the short term the Post-CAP group is concerned about the first few years of the agricultural transition from 2021. The group will work with the State Party to give clear, advance information to farm businesses of the timeline of change over the next eight years. This will assist Lake District farmers to plan ahead with time to adapt their businesses to future circumstances.

Recent clarification of this transition has been issued by the UK Government, including the introduction of an interim budget for Farming in Protected Landscapes. For the Lake District this is administered by the LDNPA. Details of this scheme are outlined in **Annex E**.

The Post-CAP group is also supporting the work of the Cumbria Local Enterprise Partnership to develop a farm business advice service to assist farming families and businesses adapt to the transition over the next 8 years.

Combined Local and National Activities

Environmental Land Management Scheme (ELMS)

The LDNPP, led by the LDNPA, is running one of the UK Government's Environmental Land Management Scheme (ELMS) Tests in the Upper Derwent catchment upstream of Bassenthwaite Lake. Phase 1 of the Test ran from Dec 2018 to March 2019. It carried out initial engagement with farmers in the Test area on public goods, and developed proposals for Land Management Plans and Area Plans for ELMS. Phase 2 tested the development of Land Management Plans with individual farmers and the co-design of Area Plans for public goods with farmers and partners. The Test explored a range of public goods which could be eligible under ELMS, including public goods associated with attributes of Outstanding Universal Value, including the cultural heritage of traditional hill farming systems. Phase 1 and Phase 2 are now complete. This project has allowed the particular context of the Lakes to influence national policy on farm support for designated landscapes.

<https://www.lakedistrict.gov.uk/caringfor/farming/the-future-of-farming/environmental-land-management-test>

The Partnership are also working with the Foundation for Common Land and the Federation of Cumbrian Commoners on the ELMS Test they are running on Common Land, looking at how ELMS can be "Commons proofed" in its design, and ecological benefits offered by Common Land.

Other Supporting Initiatives

Our Common Cause Project

The LDNPP is working with the Foundation for Common Land on the Lake District part of this national project: **<https://foundationforcommonland.org.uk/our-common-cause>**

The project has four central aims:

- Secure and support collaborative management of Common Land;
- Ensure that the health of commons is secured by supporting resilient commoning in a fast-changing world;
- Reconnect the public with the natural and cultural heritage of Common Land;
- Enhance the environmental and ecological benefits offered by Common Land

The project will run on three commons areas in the Lake District. The Commoners on these commons and the commons themselves will benefit directly from the project and the project will share its learning and good practice with other commoners and commons in the Lake District.

Agri-Environment Schemes

Natural England is continuing to offer new Countryside Stewardship agreements and roll forward existing Higher Level Stewardship agreements in the Lake District. This will provide a stable financial commitment for farm businesses that chose to participate through to the start of ELMS in 2024 and beyond, including Commons Associations managing large areas of Common Land.

e) Rebalancing programs and funding to improve natural resources with the need to conserve the valuable cultural landscape

ICOMOS recognises the State Party's understanding of the linkage of natural and cultural values and the interdependence of both components in a cultural landscape... although the mentioned paper Health and Harmony clearly points out some of the main issues concerning farming post-Brexit, possible solutions are still unclear and undefined.

The State Party's initial response to UNESCO (State of Conservation Report 2018) provided reassurance that it appreciates there is a need for an appropriate balance of funding programmes to sustain and enhance both nature and cultural components of the cultural landscape as these are inter-dependant.

Legislation such as the **Agriculture Act** (2020) recognises that upland farms are an iconic part of our heritage, and in section (1) (c) that the Secretary of State has powers to provide financial assistance to manage land, or water in a way that maintains, restores or enhances cultural or natural heritage and recognises that cultural heritage is a public good. It also recognises in section (1) (g) financial assistance to conserving native livestock, native equines or genetic resources relating to any such animals. This is in addition to financial assistance managing nature, improvement of the environment.

The level of support that has been provided to date for cultural resources in the Lake District has been, and continues to be, significant. The main current agri-environment schemes Environmental Stewardship (ES) and Countryside Stewardship (CS) both include financial support for the management of a wide range of components of OUV attributes, for example designed landscapes, pollarded trees, hay meadows. Capital funding for the restoration of field boundaries provides financial support for the traditional skills of drystone walling and hedge laying. The schemes have included both capital payments for the restoration of historic features in the farmed environment and annual payments for land management that protects heritage features in the landscape. The ES scheme provides a payment for the management of upland commons with hefted self-maintained

flocks and the CS scheme includes a payment that covers the full costs of maintaining a commons association for the ten years of an agreement. The CS scheme also includes supplements for shepherding and for managing difficult sites, where additional funding is provided in recognition of the costs of managing challenging upland landscapes. The current scheme funds the restoration and maintenance of traditional farm buildings and over the last thirty years the Lake District has received significant public funding for building restoration.

Cultural Capital

While it is noted that the use of the Nature Capital and Ecosystem Service approach has only just begun, this will need refining to give due weight to cultural capital in relation to natural capital if it is to benefit the key attributes of the cultural landscape.

Locally

The work of the Technical Advisory Group of the LDNPP is currently identifying indicators for the purposes of monitoring OUV including cultural capital. The English Lake District WHS upland farming system and its local knowledge system provides both natural and cultural capital. This plays a crucial role in the greater social and cultural fabric of UK uplands underpinning the rural economy and society in terms of tourism and recreation, community resilience and the very natural capital the Government and society value. It is also an essential theme of the English Lake District World Heritage Site. The social connectedness (livestock markets, shepherds meets, farmers groups) and networks of the farming community (of commons gathering, commons associations and breed association) underpin this agro-pastoral system in the Lake District with farmers. The pandemic has highlighted the importance of social interconnections within the farming community, with no agricultural shows to showcase quality of livestock and meeting other farmers, closure of auction sales, loss of markets and isolation.

The wider benefit of hill farming needs to be recognised beyond natural capital and a recognition of the key structures and processes which are central to sustaining this farming system which forms a component of the OUV of the WHS, such as hefting, heft management, gathers, inbye, intake and fell land with the hefts, local knowledge systems, social networks and connectedness and sense of place. Agricultural land is rich in a social and cultural relevance beyond just the economic and environmental. Farmland has shaped and continues to shape this unique cultural landscape.

National Park

In addition to its WHS designation, the cultural values in the national park landscape have been recognised since its designation as a national park in 1951 – the statutory purpose of National Parks includes the conservation of cultural heritage as well as natural beauty and wildlife. The upland farming culture in the Lake District has been supported by the National Park Partnership and the range of management measures set out in the joint National Park and WHS Management Plan. The effectiveness of this approach can be seen by comparing the persistence of the farming culture and associated cultural landscape features in the Lake District compared to other upland areas of the north

of England outside designated landscapes, where landscape features like walls and barns and farming economic infrastructure like markets have declined. The Lake District National Park Partnership has acknowledged the importance of understanding cultural capital through its recent inclusion of this concept in its research framework.

Natural England

Natural England, the UK Government's landscape advisory body, has recently commissioned research on how to incorporate cultural capital concepts into its landscape monitoring strategy. The research will develop a conceptual framework including natural, cultural, social, human, financial and built capitals and explore how these inter-relate and change to create landscape. A second part of the contract will consider how this approach can be developed to possibly monitor landscape change. The research consortium is made of for three Cumbrian consultancies and one academic from the Centre for National Parks & Protected Areas at the University of Cumbria. The output will provide opportunities for the WHS Steering Group to explore how landscape can be monitored across the various capitals.

Historic England

Historic England is working with the Department for Digital, Culture, Media and Sport (DCMS) and other DCMS Arm's Length Bodies (ALBs) to establish an agreed economic approach for valuing our cultural heritage assets and the benefits they provide to people and businesses. The culture and heritage capital framework (<https://www.gov.uk/government/publications/valuing-culture-and-heritage-capital-a-framework-towards-decision-making/valuing-culture-and-heritage-capital-a-framework-towards-informing-decision-making>) aims to deliver an innovative programme of research that will create publicly available statistics and guidance to improve how we value culture and heritage and to enable better decisions for the historic environment. The work is supported by an Advisory Board made up of leading academics and key sector stakeholders including the Chairman and Chief Executive of Historic England, and is chaired by the Commissioner for Cultural Recovery and Renewal, Lord Mendoza. An ambitious programme of research is currently underway and planned for the next three years.

Nationally

Future UK Government policy as outlined in draft legislation indicates a shift towards payments for natural capital, public goods and ecosystem services. (DEFRA (2018a) 'Health & Harmony: the future of food, farming and the environment in a Green Brexit.').

The Partnership is aware of the importance of cultural capital in terms of OUV and the tangible attributes, the physical manifestation of OUV such as buildings, field boundaries and the intangible attributes such as farming practices, knowledge, community events, social interdependencies and sense of place.

Hill farmers maintain a panorama of dry stonewalls and grazed moorlands. The upland way of life, the unique food produced, and the great art that these landscapes have inspired attract visitors from around the world - DEFRA (2018a) 'Health & Harmony: the future of food, farming and the environment in a Green Brexit.' Cm9577 Accessed (10/2/19).

The Agriculture Act recognises that the Secretary of State has powers to provide financial assistance to manage land, or water in a way that maintains, restores or enhances cultural or natural heritage.

f) Strengthening risk preparedness strategies for floods and other disasters that incorporate local knowledge

No clear details...have been provided as to the approaches to be taken in relation to flooding management measures.

Risk preparedness considers drought, as climate change is indicating wetter winters but dryer summers, in addition to flooding.

Locally

Water management within the Lake District rests with a number of bodies:

- United Utilities (a water service provider for the North West of England who own and operate a supply system comprising of water supply reservoirs, river and stream intakes, lake abstractions, and groups of groundwater sources, water supply and leakages);
- Cumbria County Council (flooding);
- District/Borough Councils (promote water efficiency, leading role in local resilience forums);
- Canals and Rivers Trust (manage water supply in the system to maintain supplies), and
- The Environment Agency (whose main priority is the protection of the environment, including special habitats and species –flooding, habitat and water quality).

These represent seven of the 25 Partners in the LDNP Partnership. The statutory flood risk management authorities in Cumbria ensure that they work closely with local communities through the Cumbria Strategic Flood Partnership (CSFP), a wide-ranging partnership of statutory, academic, community and NGO organisations. The CSFP has facilitated knowledge exchange and community consultation since 2015 in order to make sure that the knowledge and concerns of the whole Cumbria community can be used effectively to reduce flood risk and increase flood resilience. The next **Cumbria Local Flood Risk Management Strategy** is due to be published in 2021 following public consultation.

In Cumbria, the Environment Agency have been trialling Natural Flood Management (NFM) measures in 16 locations across the county as part of the £15m DEFRA NFM programme (of which Cumbria has a £2.5m allocation) recognising the need to be more flood resilient. The Environment Agency is working with a range of partners from a variety of Rivers Trusts, Cumbria Wildlife Trust, the Woodland

Trust, National Trust, Lancaster University and Cumbria County Council using local knowledge and skills within these organisations.

The Cumbria NFM programme is testing a range of NFM interventions and creating new ones, these vary from leaky woody dams, to dealing with soil compaction and farm run-off, woodland planting to reinstating the age-old tradition of kested hedges, improving and rewetting of peat bogs, creating living woody dams utilising willow and other tree types, and creating offline storage ponds.

All of these interventions help with the four pillars of the project: 1) decrease the risk of flooding to communities using nature based solutions; 2) increase the biodiversity of those locations; 3) increase our knowledge of what interventions work best in different locations, looking at elevation, slope, habitat type, mechanism of flooding etc; and 4) upskilling local organisations, landowners and new business to be able to undertake more of this work in future as set out in the aspirations of the UK Government's 25 year environment plan, the framework for Environmental Land Management (ELMs) and the EA's own Flood & Coastal Risk Management (FCRM) strategy.

<https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2/national-flood-and-coastal-erosion-risk-management-strategy-for-england-executive-summary>.

The NFM measures will also help demonstrate what landowners can do to help mitigate against the effects that climate change will have on their farm businesses. The work that the NFM programme is doing is also helping the LDNPA understand what is and isn't possible within a WHS whilst sustaining its OUV. The scale at which these projects have been working thus far has been modest. To secure the benefits needed for the Lake District's "at risk" communities, including businesses, the LDNPA will need to work at ever increasing scale, on a strategic evidenced, targeted and integrated landscape scale approach. An emerging local initiative since the Storm Desmond floods in 2015 has been the creation of community initiatives to address flood risks, for example the Ullswater Community Interest Company. The LDNPP has recognised the potential of such initiatives to bring together local communities, farmers and land managers and flood risk experts to combine expertise in flood risk with local knowledge of land management. The Partnership is supporting the Lake District Foundation seeking National Lottery Heritage Foundation funding to facilitate this kind of community action throughout the Lake District.

Drought

In addition to the flood risk reduction these NFM projects are demonstrating they are also showing benefits in periods of extended dry weather as experienced in 2018 and 2020 (the longest on record). During those periods farms on private springs or bore holes lost their water supply which resulted in additional costs of bringing in water to the farm and also livestock welfare and health and safety. This also affected private properties on non-mains drainage. For organisations such as the National Trust, with a large property portfolio of farms and private dwellings, making arrangements for additional

water supply has resource implications. During these periods reservoirs were lower and the potential for drought measures to reduce water demand were considered.

The Lake District Management Plan Research Framework

As part of the **State of the Park** report in 2018, the Partnership commissioned the development of a research framework to identify research questions and monitoring challenges. This work has been completed and is embedded within the Management Plan for 2020 to 2025. The framework is designed to be iterative to allow for new questions and monitoring needs to be added as they occur. There are 16 priority research projects currently being developed further and funding is being sought. The related monitoring work will align with the Management Plan aims and objectives and the needs of WHS monitoring. Further information is set out in **Annex F** regarding how the research framework will be looking at drought impacts.

Retaining water on the fell and slowing the release has benefits not just for flood but also periods of drought. Increasing water storage capacity through building new reservoirs is not an option.

The ongoing approach will be one of working in partnership with natural flood measures and harnessing the benefits that brings will be part of what the future of flood risk management for the county and the National Park and World Heritage Site will require.

Cumbria County Council's local flood risk management strategy is under review and due for publication in 2021:

<https://cumbria.gov.uk/elibrary/Content/Internet/544/3887/5894/4212914848.PDF>.

Environment Agency drought strategy:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315916/20132307_NW_drought_plan_revised.pdf

Relationship of NFM measures to key attributes of the cultural landscape

"Natural" flood management measures could imply significant changes to traditional systems and the use of local knowledge. It remains unclear how the Environment Plan framework will relate to the key attributes of the cultural landscape. Projects by Commons Associations and partner organisations are underway which propose to increase woodland pasture and scrub on the lower fells to support nature recovery and have a positive impact on one component of the attribute of agro pastoral systems: Semi-natural habitats created and sustained as a result of a continuing agro-pastoral systems. The relevant habitats for NFM would be the mosaic of semi natural habitats above the fell wall within an actively grazed landscape for example heather moorland, upland oak woodland and juniper blanket bog, upland scrub.

These works support nature recovery but at the same time aim to slow the flow of water and reduce soil erosion. These schemes vary in scale and have been assessed in terms of impact on key attributes of the cultural landscape via Heritage Impact Assessments (HIA) using ICOMOS guidelines.

The open character of the high fells is an important component of OUV, so any proposals for tree planting need to ensure this open character is not lost and impacts identified through HIA are acted on appropriately when decisions are taken on whether to proceed with this kind of scheme. Likewise the impact of any scrub planting needs to be properly assessed, and to be managed to retain it as scrub and not woodland. Establishing these tree and scrub areas may require temporary fencing to exclude livestock whilst the trees and scrub become established. This fencing is for a temporary period only and as long as livestock are allowed back into the areas when the fencing is removed then the expectation is no long term impact on the agricultural functionality of the commons and agro-pastoral system.

Changes to Traditional Systems

No clear details, though, have been provided as to the approaches to be taken in relation to flooding management measures. "Natural" flood management measures could imply significant changes to traditional systems and the use of local knowledge

The Partnership is mindful of the potential impact and need to work together to ensure that NFM will not involve negative changes to traditional systems. The WHS is inscribed as a cultural landscape – an organically evolved landscape that is also a continuing landscape which retains an active social role in contemporary society closely associated with the traditional way of life and in which the evolutionary process is still in progress. This means that there will be some change. Excellent work is being undertaken by partner organisations on natural flood management which sits comfortably with sustaining OUV and using local knowledge from landowners, farmers and commoners. These projects are being assessed for potential impact on the WHS and how they can make local communities more resilient to flooding and mitigate for climate change. The experience so far of partnership working on projects to “slow the flow” (leaky dams, peat restoration, scrub, wood pasture etc.) has clearly indicated that these projects can be implemented and bring in public benefits to the wider WHS in making its landscape and its communities less at risk and more resilient to climate change.

ICOMOS concerns are noted particularly in regard to the need to be careful about how this work is undertaken and considered in the context of WHS and that can be demonstrated with assessments such as the HIA checklists for small projects and HIAs for the much larger projects. UNESCO recognised the Lake District needed to be more flood resilient when they made their recommendation at the time of inscription. The State Party also acknowledges this and notes that climate change is identified as one of the Partnership’s strategic challenges in the review of the Management Plan. The defined attributes of OUV which makes the Lake District special are both physical tangible attributes and intangible attributes including local traditions and knowledge. The Partnership appreciates that it needs to understand what measures are required where and the outcomes of those changes locally and cumulatively on the WHS. By monitoring and sharing knowledge it will show how the WHS has a part to play in climate change mitigation and making the Lake District more flood resilient not just for local communities within the WHS and NP but downstream of the Lake District.

The Technical Advisory Group (TAG) have produced HIA guidance for any land management proposals such as agri-environment schemes working with our partner organisations. This guidance has now been agreed by the Partnership and is to be used as a guide to best practice for the Partnership and will form a background paper for the Management Plan.

- g) Developing programs to prevent depopulation, including:
- Develop affordable housing
 - Ensure that communities have a mix of commercial outlets
 - Further develop and market local products

It is unclear as to how affordable housing is being provided and where and what impact new development, if that is what is envisaged, will have on the landscape. ICOMOS would like to highlight that it would be important to establish a monitoring system that could study the population data, the register or survey of new housing occupation, etc.

Affordable Housing

As stated in the State Party’s initial response to this issue (State of Conservation Report 2018), ensuring a supply of housing for local people is addressed through the LDNPA Local Plan policies. The **Housing Provision Supplementary Planning Document (SPD)** recognises the need to provide housing for local people at affordable levels. All new housing is either:

- local occupancy, currently restricted to people living in the locality defined in accordance with the SPD (as a result of local consultation), or
- affordable housing where the price is restricted. This provision of local housing/affordable housing, is designed to meet the needs of the local community. Affordable housing is delivered by social housing providers who are grant aided by government.

The table below indicates delivery, and planning permissions awaiting completion within the WHS.

Table: Affordable and local occupancy housing completions

	April 2016 - 31 March 2020
Affordable housing completions	126
Affordable housing planning permission granted	60
Local needs housing completions	214
Local needs housing planning permissions	301

The Local Plan provides guidance on new development and all development goes through the planning system where there is consultation with local people and parish councils as well as other authorities such as highways, water authorities etc. With any application for new housing the consideration of landscape impact, housing need, design and materials is considered as well as access to services and relationship to existing settlements. Communities need housing for local people to survive. There is tension between second home owner demand (loss of existing housing stock) and the needs of housing for local people to keep schools and services running and communities intact.

The newly adopted Local Plan (2021) establishes a housing requirement to be delivered during the plan period, based on up to date and robust evidence of housing need. This was scrutinised by the UK Government as part of the Local Plan Inquiry. Land allocations are a delivery mechanism alongside the use of windfall opportunities to achieve the aim of meeting local housing needs including affordable housing.

The Annual Monitoring Reports show that between April 2010 and March 2018, 617 new homes have been built in the Lake District against a minimum target of 480 for the same period. This equates to 77 new homes per annum which is above the annualised target of 60 and represents a 29 percent increase on figures. The Allocations of Land (Local Plan Part Two) adopted in November 2013 introduced for the first time in the Lake District identified land specifically for the purpose of developing new affordable housing and has helped to increase supply.

The LDNPA works closely with other organisations. Cumbria Housing Group membership consists of Housing Authority portfolio holders and housing officers including the LDNPA. Sitting underneath this group is the Cumbria Housing Supply group. This is very well attended including by LAs, Registered providers, private housebuilders, financiers, Homes England, University of Cumbria. There is also the Cumbria Housing Need Group which includes health and wellbeing. Other groups sitting under these two groups are:

- Community Led Housing
- Empty Homes Group
- Choice based lettings (Affordable housing)
- Extra Care Forum T&F Group
- Gypsy and Travellers T&F Group
- DFG and housing Standards Group
- Strategic Homeless Group

ICOMOS therefore advises to establish indicators that could help to interpret the social trends and develop more clearly defined approaches that can be monitored regularly

The link below is to the LDNPA Local Housing Need Assessment 2019 which has been produced as part of the Local Plan review. It provides indication of study of the demographics, issues and monitoring.

https://www.lakedistrict.gov.uk/__data/assets/pdf_file/0022/151366/SD225-Local-housing-need-assessment-v2-2019.pdf

Second Homes and Holiday Occupancy

ICOMOS would like to highlight that it would be important to establish a monitoring System that could study ... what is being done to address the underlying issues such as whether the lack of affordable housing is linked to second homes, holiday occupancy, etc. The Lake District continues to be popular as a second home destination placing additional pressure on the existing housing market and threatening the resilience and vitality of its communities. The popularity of the Lake District means there is high demand for housing. This drives prices up because there is a limited supply. The problem is loss of housing to second homes and holiday lets. LDNPA control new builds, conversions and subdivisions which require planning consent and impose conditions and this is addressed in their housing policy but cannot prevent existing permanent dwellings being turned into holiday homes.

The LDNPA enforces occupancy restrictions on new houses either through conditions on the planning permissions or through legal agreements with developers which are tied to the property. Therefore all new housing will not be lost to second homes or holiday letting accommodation.

Mix of Commercial Outlets

The LDNPA has seen an increase in the number of houses used as second homes which increases house prices to the extent that local people cannot afford to buy homes rather than the existing community moving out due to the loss of commercial outlets. A consequence of this is that the number of commercial outlets can decline, with second and holiday homes not providing year-round custom which a resident population would, with a consequent loss of services to meet a resident population.

There have also been changes in societal behaviours both within and beyond the Lakes, with the use of the internet for delivery of goods and services. Increasingly familiar in the area are national chain supermarket delivery vehicles making their rounds both for residents and visitors staying in holiday lets. This has been particularly evident over the pandemic and, post Covid-19 some of that behaviour may remain.

<https://www.thecumbrialep.co.uk/improving-our-digital-connectivity/>

Concerns over internet shopping has prompted Cumbria Local Enterprise Partnership (CLEP) promoting a Buy Local campaign to support local businesses:

<https://www.thecumbrialep.co.uk/news-detail/2020/think-local-to-support-your-local-businesses-survive-and-thrive/>

Development and Marketing of Local Products

Regarding the further development of marketing local products, there seems to be a strategy in order to promote the added value of a World Heritage property through an

English Lake District World Heritage branding. The brand has been recently launched so it will still need some time to prove its effectiveness.

The Partnership is aware from business feedback and events such as the second anniversary event and Westmorland Show that the WHS Brand has been well received and is being used. Businesses are seeing value in distinguishing their product from others as being from a World Heritage Site. For example Farrer's of Kendal have launched World Heritage Coffee. Their first limited edition of World Heritage Coffee is Finca El Eden which was launched at 2019's Westmorland County Show. Farrer's have sourced beans grown in the Coffee Cultural Landscape of Colombia, a UNESCO World Heritage Site, then roasted them in the Lake District.

The World Heritage business toolkit provides an introduction to the Lake District's World Heritage story and provides suggestions and ideas as to how a business might use this status within their operations. Whether it is as a means of differentiation, a tool to attract and retain skilled staff, inspiration for new products and services, the toolkit can take businesses on their World Heritage journey.

The research framework seeks to address the issue of what makes a holistically sustainable community (see **Annex F**).

- h) Developing an interpretation strategy at the landscape level to communicate the different strands of the Outstanding Universal Value by using the documents put together for the nomination dossier

As for most of the rest of the report, the strategy is still being developed and will be implemented over the next two years. ICOMOS would advise that reporting on its implementation is provided in the coming years, together with some monitoring that can be used to prove the effectiveness of this strategy.

The work has been put on hold at the present time due to limited resources as a result of the impact of Covid-19, but the State Party can confirm that the Partnership nonetheless are aware that this needs to be addressed. A further update will be provided in due course when this important work is resumed.

- i) Ensuring that careful attention is paid to conservation of landscape-defining features not only in designated conservation areas

ICOMOS advises that a monitoring system is established in order to ensure that all the preventive and restoration and conservation actions are distributed across the property and not only concentrated in the Conservation Areas.

The Technical Advisory Group (TAG) have prepared guidance on Authenticity and Integrity with the help of Historic England to be agreed by the partnership for clarity to partners and likewise on sustaining the OUV of this WHS with guidance from ICOMOS UK. This work recognises that the English Lake District WHS is perhaps more complex than many others given its size and the range of disciplines that its attributes reflect.

The attributes of OUV and components of those attributes includes landscape defining man-made physical features, such as dry stone walls, villas, and farmhouses.

The TAG is in the process of identifying the best way to monitor those attributes. The LDNPP research framework is also identifying possible monitoring systems for the attributes and clarity of indicators to help with that monitoring. The monitoring scale is being considered but could include a sample of farms within all the valleys to identify scale and trend of any changes throughout the site. This monitoring work feeds into the Management Plan review.

There are existing monitoring systems for listed buildings, schedule monuments, and many agri-environment schemes including features such as dry stone walls.

TAG is working on HIA guidance for water projects as river meandering has potential to mitigate flooding in existing flood prone areas and where many of these watercourses have had previous human interventions. The mapping of projects and actions requires partnership agreement and input from partners but would provide an overview of what is happening within the WHS, for whilst planning applications are a good indicator of change many projects fall out with the planning system.

The level of support that has been provided for cultural resources in the Lake District has been, and continues to be, significant as outlined under the response set out under section (e) above and in relation to the UK Government's Farming in Protected Landscape programme (see **Annex E**).

The Partnership agreed in July 2021 an additional guidance document on assessment of OUV for projects for the Partnership and others. This was drawn up with advice from ICOMOS UK, Historic England and Technical Advisory Group members. This will form a background paper to the Management Plan currently under review.

- v) To assess the potential impact of all current project plans (both by the site manager organisation and by other parties) and review the status of issues raised in Decision 41 COM 8B.30, the World Heritage Centre would like to kindly ask your national authorities to submit a progress report on the state of conservation of the property 'The English Lake District' by 1 December 2021, for review by the Secretariat and the Advisory Bodies.*

The State Party will continue to provide the information the World Heritage Centre requires in order to inform their view of the condition of the property and the management arrangements to protect it. At the current time, additional clarification of some of the matters addressed in the conclusion

section of the Technical Review would be welcomed to assist in providing additional evidence relating to management of these issues.

The State Party would appreciate further clarification from ICOMOS regarding the following:

- any examples of the location of any areas and/or types of landscape-defining features where ICOMOS' view from additional information received is that the need for protection is not fully considered (such as outside Conservation Areas);
- any examples (from additional information received) of misuse of the added values of the WH property in the development of tourist attractions.

The State Party and Partnership would value the opportunity to engage in further discussion regarding these issues with ICOMOS. The WHS is considered overall to be in good condition and the management arrangements put in place to be robust and appropriate but any issues identified will continue to be investigated and measures considered to address these in the interest of the WHS OUV.

3. Other current conservation issues identified by the State(s) Party(ies) which may have an impact on the property's Outstanding Universal Value

At the current time the State Party is not aware of any other conservation issues which have potential to impact on the property's OUV.

4. In conformity with Paragraph 172 of the Operational Guidelines, describe any potential major restorations, alterations and/or new construction(s) intended within the property, the buffer zone(s) and/or corridors or other areas, where such developments may affect the Outstanding Universal Value of the property, including authenticity and integrity.

The State Party is not currently aware of any additional proposals which require notification in conformity with Paragraph 172.

5. Public access to the state of conservation report

The State Party is content for the full report to be uploaded to the World Heritage Centre's State of Conservation Information System.

6. Signature of the Authority

A handwritten signature in black ink, appearing to be the initials 'HR' with a stylized flourish.

Henry Reed
Senior International Policy Adviser, Cultural Diplomacy
Department for Digital, Culture, Media and Sport

Annex A

Policies from the Lake District National Park Authority Local Plan referred to in the text

The Technical Review commented on the integration of consideration of World Heritage into local plans and policies:

c) Integration of World Heritage consideration into the local plans and policies

The Local Plan (set of policies used to inform decisions on planning applications and appeals) Review to be adopted in January 2020 seeks to ensure the protection of the World Heritage property, and the current legislation seems to require all relevant authorities to take into account the special qualities (attributes) of the property in general terms. The Local Plan Review was begun in 2016 and submitted on August 2019 to the Planning Inspectorate for examination.

Policy 09: North Distinctive Area

Development in the North Distinctive Area will reinforce distinctiveness of place, deliver key themes of the Vision and enable local solutions to specific planning issues.

To achieve this we will:

- support the provision of more bungalows and two-bed properties to help address the mismatch between the severe lack of availability and the high aspirations/ expectation of local communities for this type of dwelling and reflect the need for smaller properties;
- support development that retains the Mary Hewitson Hospital and safeguards it for the purposes of securing long term health care provision in Keswick;
- support the development of a new leisure centre and pool in Keswick. Any new leisure facility will need to reflect its remarkable and unique setting both in design and uses, maximising its connectivity with the outdoors;
- support flood resilient sporting facilities for the community based at Keswick School;
- secure enhancements through development opportunities to ‘the Ginnels’ in Keswick, and connectivity between the town and lake;
- secure solutions to car parking problems at Catbells and Seathwaite Valley;
- support appropriate opportunities for recreation and leisure uses of Town Cass, subject to ground conditions, where it would lead to conservation of the landscape character;
- support appropriate redevelopment of and/or extension to the Field Study Council site at Blencathra as an environmental education centre;
- support appropriate enhancement of the Theatre by the Lake and its facilities to consolidate its regional role as a cultural centre and attract new audiences;
- **secure a Masterplan for the Whinlatter Centre, including valley-scale landscape restoration, redevelopment and expansion of its recreational and leisure uses. This may include new visitor accommodation utilising the topography of the landform. Proposals should not adversely impact on surrounding settlements, and should secure a net**

improvement in traffic flows at Braithwaite Village, a net reduction in parking at the Whinlatter Centre, together with an increased role for Keswick as a transport interchange hub;

- secure improvements through development which deliver enhancements of the foreshore at Keswick and Isthmus Wood and Peninsula, where it would conserve the unique character of the area;
- support appropriate opportunities for park and ride/walk facilities on the northern edge of Keswick. Any proposal will need to demonstrate how it secures onward travel by sustainable transport and helps to address traffic congestion in Keswick and surrounding areas. Proposals will need to be considered as part of a package of improvements in Keswick. Consideration will also be given to facilities to improve visitor experiences and use of the fells from this location;
- support appropriate additional car parking at existing town centre car parks if changes to on-street parking restrictions in residential areas reduce the overall capacity available to visitors in Keswick.

Policy 29: Waste management

We want to ensure the amount of waste produced as a consequence of new development is managed efficiently and effectively and is as high up the waste hierarchy as feasible.

We will support new waste development where it:

- is of a scale and type appropriate to its location;
- manages and accommodates waste arising from the immediate area;
- provides opportunities to diversify the local economy; and
- does not have adverse impacts on residential amenity.

All policies related to business and investment:

- Policy 01: National and international significance of the Lake District
- Policy 02: Spatial Strategy
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development
- Policy 08: Infrastructure and developer contributions
- Policy 14: Allocations of land
- Policy 16: Job creation and employment space
- Policy 17: Retailing and town centres
- Policy 18: Sustainable tourism and holiday accommodation
- Policy 19: Agricultural and land-based rural business diversification

- Policy 20: Renewable and low carbon energy
- Policy 21: Sustainable access and travel
- Policy 22: Vehicle parking to improve sustainable transport
- Policy 26: Major development
- Policy 28: Minerals Safeguarding Areas

All policies related to landscape, wildlife and heritage:

- Policy 01: National and international significance of the Lake District
- Policy 02: Spatial Strategy
- Principles of development
- Policy 03: Development and flooding
- Policy 04: Biodiversity and geodiversity
- Policy 05: Protecting the spectacular landscape
- Policy 06: Design and development
- Policy 07: Historic environment
- Policy 19: Agricultural and land-based rural business diversification
- Policy 20: Renewable and low carbon energy
- Policy 24: Lakeshore development
- Policy 25: Development to support the keeping of animals on a non-commercial basis
- Policy 26: Major development
- Policy 27: Mineral extraction

Annex B

Draft Strategies in the joint National Park and WHS Management Plan (currently under review) referred to in the text

1. A world class living cultural landscape of exceptional beauty

a. Protect and conserve the extraordinary beauty and harmony of the Lake District landscape and attributes of Outstanding Universal Value and Special Qualities:

i. by using and promoting the Lake District Landscape Character Assessment and Heritage Impact Assessments to inform land management and development management decisions to achieve a consistent, evidence-based approach.

ii. by increased coordinated management, understanding and appreciation of the landscape character at a valley scale. We will encourage local approaches to landscape management informed by the Landscape Character Assessment, our World Heritage Statement of Outstanding Universal Value, the World Heritage Nomination Dossier and monitoring landscape change.

11. Growing a sustainable Lake District visitor economy

a. Ensure the Lake District visitor economy continues to grow by attracting UK and overseas visitors, encouraging longer and overnight stays.

b. Support initiatives that promote the Lake District as a year-round destination to a range of audiences at different times of year, with a particular focus on the experiences offered by:

i. Landscape and environment

ii. Culture and heritage

iii. Adventure

iv. Hospitality, food and drink.

23. Opportunities to discover, appreciate and experience a unique, rich cultural landscape

Our Strategy is to:

a. Ensure that every visitor has the best experience through the breadth of activity for visitors that benefit their health and wellbeing, and enhance understanding and appreciation of the attributes of Outstanding Universal Value and Special Qualities of the Lake District.

Landscape and environment

i. Promote and sustain the Lake District as a place to experience a unique landscape and environment in a variety of ways, offering opportunities for experiencing, tranquillity, peacefulness, spiritual refreshment, dark skies, and wildlife.

ii Support the maintenance of routes so people can explore and enjoy, ensuring appropriate management practises where necessary.

Culture and heritage

Support the conservation and enhancement, and promotion of cultural heritage assets to improve learning and understanding

Adventure

- i. Support and promote new and existing opportunities for outdoor adventure on foot, bicycles, ropes, in and on water, and through events – all sensitive to the unique landscape.
- ii. Support organised events where they are sensitively managed and where the organisers have undertaken community engagement and consultation, and developed event management plans.

Hospitality, food and drink

- i. Encourage a consistently high standard of hospitality.
 - ii. Celebrate the provenance and quality of Cumbria's food and drink by supporting the showcasing and marketing of local produce available in the Lake District to raise its profile through the World Heritage Site brand.
- b. Promote the Lake District as a place for everyone to enjoy and appreciate, and to support the nation's health and wellbeing. We want to ensure a range of experiences, easy access to and around the Lake District, quality public realm and amenities, available and accessible information, and outreach work to support visitation.

24. Ensure Responsible visiting

Our Strategy is to:

- a. Support opportunities to embed understanding and appreciation of the Outstanding Universal Value and Special Qualities of the Lake District, and Countryside Code, tailored to the needs of different audiences.
- b. Support opportunities for people to give in order to significantly increase the amount of voluntary contributions made by visitors. These will be used to sustain, maintain and improve the Lake District's environment and the landscape.
- c. Ensure visitors are able to easily access relevant information in a variety of ways and languages.

Annex C

Tilberthwaite Partnership Management Group - Terms of Reference

The purpose of the group is to:

- Be a partnership management group which works collaboratively to make recommendations to the LDNPA, Cumbria County Council [the Highway Authority, who actually maintain the roads] and the National Trust [owners of the surrounding land]
- The group will undertake activities including:
 - Helping monitor usage and condition
 - Undertaking necessary activities to help mitigate any existing and new issues that may arise
 - Developing a management plan for the unsealed section of U5001 public road (High Tilberthwaite to Fell Foot)
 - Liaising with key stakeholders on implementation of the plan
 - Helping secure funding and other resources needed for implementation of the plan
 - Periodically reviewing and revising the management plan taking account of monitoring data and other relevant information
- The group will reach decisions by consensus.

Wider policy issues on the use of unsealed roads by motor vehicles are not included within the remit of this group.

Should there be unequivocal evidence that motorised vehicle use poses harm to OUV then, as committed in our earlier communication, we will seek the introduction of an appropriate TRO to address the defined threat.

Annex D

Monitoring Information regarding use of unsealed roads in the WHS – A Review by the Lake District National Park Authority and Response to ICOMOS Technical Review Comments

The first Technical Review was reported to the Rights of Way Committee which met on 8th October 2019. However the second TR could not be reported to the relevant LDNP Rights of Way Committee (8th October), as it was only received by the Authority after the rising of the relevant Committee meeting. Procedurally this meant the second TR could not be a material consideration. However LDNPA officers subsequently reviewed the second TR and the information and evidence included in relation to the prior determination of the matter regarding these two unsealed roads.

The UNESCO World Heritage Centre (WHC) were provided with a link to the full Committee report and appendices.

Usage levels

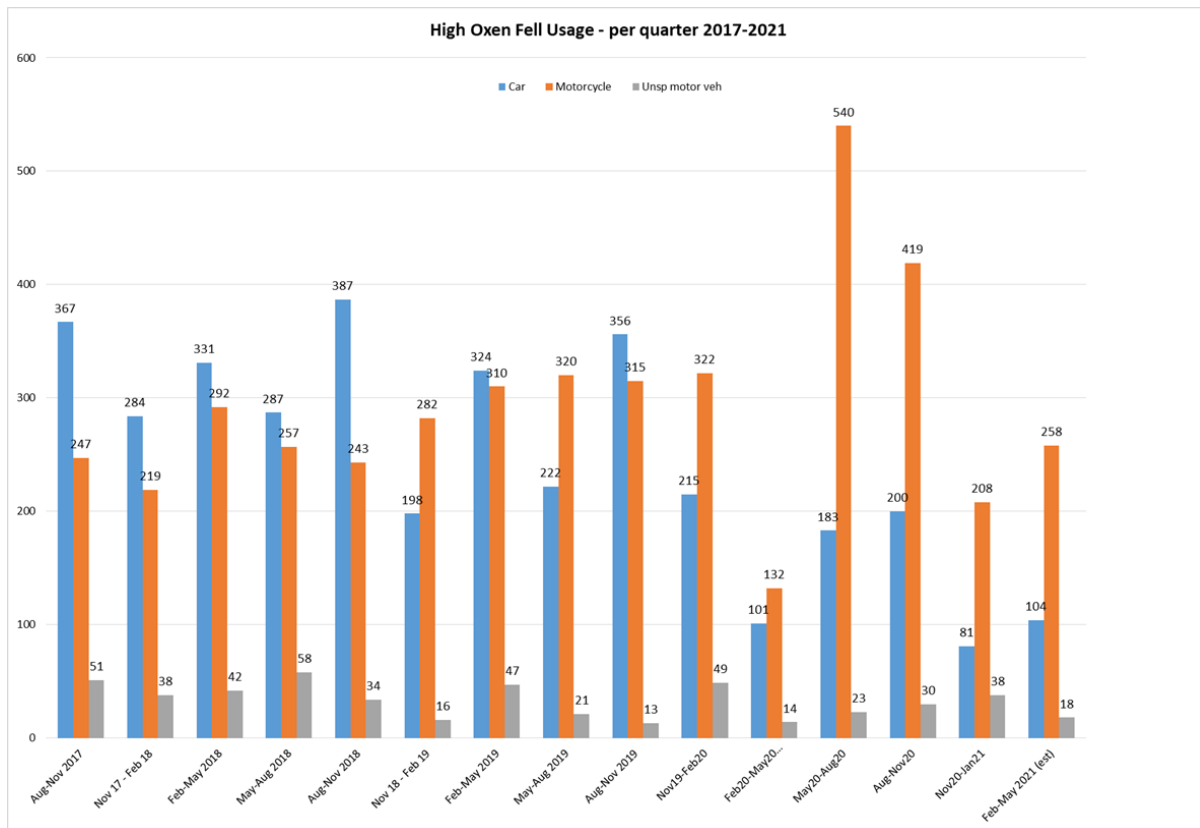
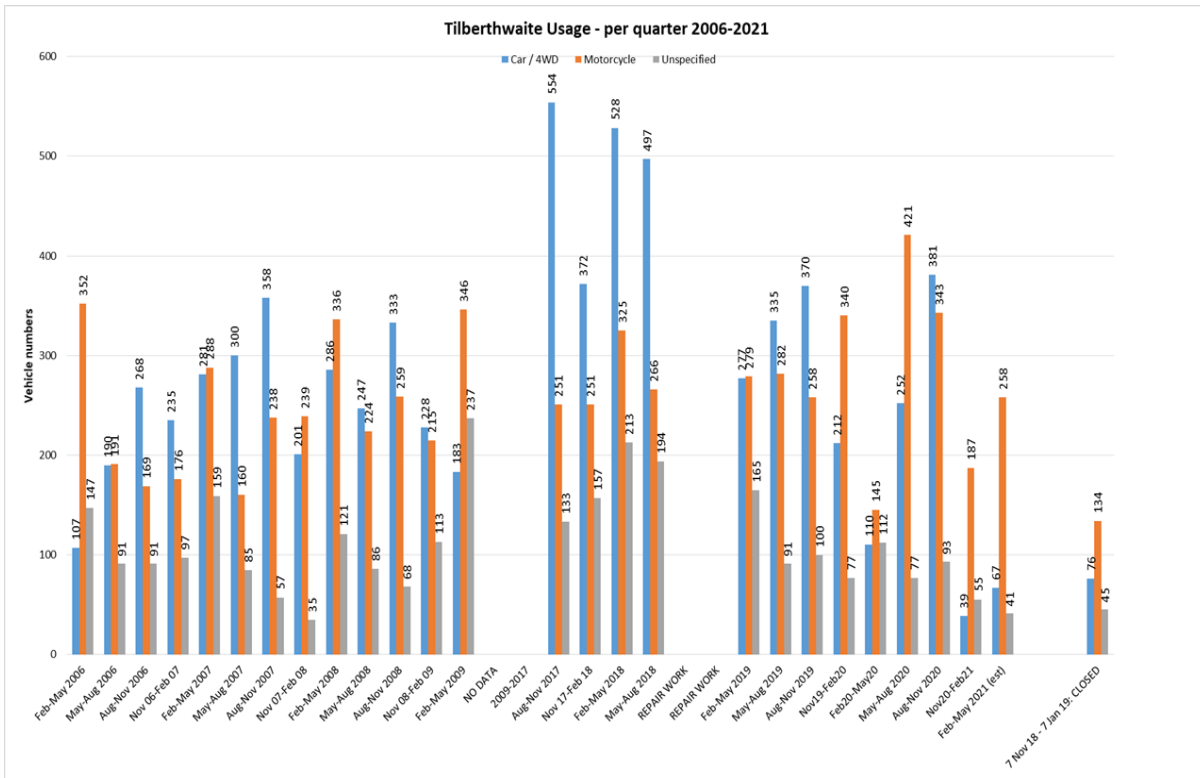
Monitoring information is available regarding the use of the Tilberthwaite and Oxen Fell unsealed roads. The commercial use (Kankku) has only been around since 2001 but there was enough usage of the routes in c1997 to include this route in the Hierarchy of Trail Routes (HoTR) /Trails Management Advisory Group (TMAG) work. The use of these unsealed roads by vehicles has been long-standing. The former tenant farmer of High Tilberthwaite Farm in an interview with LDNPA staff (18th June 2019) and agreed written notes of the meeting included in the report to Public Rights of Way Committee appendix 9.1, indicated use by recreational vehicles since they had the tenancy from 1960 and usage grew in the 1990s. The public have been using these roads with motor vehicles (cars and motorbikes) since at least the 1960s, and agricultural and quarry use has also taken place in the twentieth century. The quarries largely ceased production between 1940 and 1960.

Mechanically propelled vehicles (MPVs) were being used on the unsealed roads at the time of inscription as can be seen by the monitoring undertaken in 2006 to 2009.

In 2006 the UK Government passed legislation (The Natural Environment and Rural Communities Act 2006) which reduced the number of unsealed routes that could legally be used by motor vehicles. A consequence of the legislation (which did not take account of the condition of the routes) was that over 30% (by number, but a greater percentage by route length) of unsealed routes in the Lake District became unlawful to use by motor vehicles. Consequently there was considerable displacement of users onto a smaller resource and the remaining routes (including the Tilberthwaite / Little Langdale routes) were subjected to more use.

Monitoring of vehicle use started back in 2006 indicating vehicle use prior to inscription. [note – farm traffic is the ‘unspecified’ columns]

The graphs below show actual use as independently logged.



Unfortunately there was no monitoring between 2010 and 2016 so it is difficult to draw conclusions for this period. The highest recorded figures for use were in 2017 and 2018. It is difficult to conclude whether that was the result of very good weather, additional public interest in the Lake District due

to inscription or due to additional restrictions or monitoring of other unsealed roads nearby such as Walna Scar. The figures in 2019 were not dissimilar to those of 2008 which may suggest that this is not a general increasing trend.

(State Party note – In an alternative assessment of these figures (by the Lake District Green Lanes Alliance) the Tilberthwaite route (up to August 2021) may suggest that there was a decrease in total motor vehicle use in 2019 – August 2021, compared to 2006-9, due in part to bans on non-essential travel during the coronavirus pandemic. But despite this decrease the average number of motor vehicles per 91 day period increased from 600 (February 2006 to May 2009) to 657 (August 2017 to August 2021), due to increases in both cars and motorcycles (unspecified motor vehicles did not change)).

In order to make a TRO, UK Government legislative requirements indicate there are various grounds that need to be satisfied; these were discussed in the Committee report.

Damage to the surface

Concerns about damage to the surface have been addressed by the recent repairs. This damage has been the consequence of a combination of increased usage in general including mountain biking, motor bikes, four wheel drive usage, three major weather incidents and general increase in the severity and frequency of inclement weather as well as cessation in around 2006 of most minor repairs works and reduction in management and monitoring. The LDNPA consider that the road is now fit for purpose and the surface will be monitored. In their view the surface is sustainable for the current levels of use and there has been no sign of any significant deterioration in the 2.5 years since the work was carried out.

Harm to OUV

The LDNPA undertook an HIA of the impact of the usage of the unsealed roads by motorised vehicles. This concluded that the use of these two unsealed roads did not cause harm to the attributes of OUV of the WHS. The committee assessment report and accompanying appendices discusses the impact on each individual OUV in detail.

As routes their usage is not considered by the LDNPA to cause harm to the cultural landscape but reflected the historic use of these routes as access for vehicles. There is transitory disturbance from engine noise by vehicles but this is seen against the backdrop of the historic use of the area for quarrying and busy nature of this location as a major tourist location. Concerns were raised about harm to the Beatrix Potter legacy – however these routes would have still been in use for quarry traffic in Beatrix Potter's lifetime (1866-1943) with quarrying work in the area largely ending between 1940s and 1960s and some recreational use.

The repair works have ensured that the local farm traffic can use the routes and therefore there is no harm to the continuation of farming in this area. The LDNPA believes that there is no record of vehicle usage causing actual harm to farming livestock or preventing traditional farming practices and

consider that this was mainly to do with the surface – as described in their report at section 9 and interviews with the tenants (appendices 9.1 & 9.2). The National Trust have successfully re-let the farm at Tilberthwaite.

The LDNPA considers that there is no evidence that the usage of these two routes is a threat to attributes of OUV. This is set out in the HIA and within the assessment report. They are aware that ICOMOS disagrees with this conclusion based upon the issues raised by third parties and would welcome the opportunity for further discussion on this matter.

The Technical Review refers to the success of previous management measures, such as at Gatescarth, and recommends similar intervention, but concludes that a partnership management approach is now inadequate. LDNPA considers that the TRO at Gatescarth is a very successful example of consensus management, having being considered, devised, and implemented by TMAG. They consider its approach was evidence led, as was the recent Committee decision. The main reason for the Gatescarth TRO was to prevent damage to the fragile surface. The wider reasons of amenity / tranquillity did not form a major part of that decision. LDNPA would also note that the speed-limit on Windermere was confirmed by the Inspector on the grounds of safety of non-powered users, rather than tranquillity issues.

ICOMOS's concerns regarding the makeup of the stakeholder engagement groups are noted. LDNPA can confirm that the TMAG contained representatives from a wide range of user groups, landowners and other interested parties including farmers and walkers.

Motorised vehicle use on unsealed roads in the rest of the World Heritage Site

The ICOMOS Technical Review considers action is needed to eliminate the use of 4 x 4s on all these unsealed routes. They queried the comments in the report on the state of conservation which stated there were no other current conservation issues which may have an impact on the property's Outstanding Universal Value (OUV). The LDNPA did not and do not regard the use of unsealed roads by recreational motor vehicles as impacting on the OUV.

ICOMOS has asked for a ban on all 4 x4 vehicles and the mechanism to do that is a Traffic Regulation Order (TRO). A TRO is a mechanism to suspend or remove people's legal rights to use a route or to control the way they use a route either permanently, temporarily, or in part. A TRO can only be applied on a case-by-case basis, with investigations similar to Tilberthwaite for each individual route.

As suspending the lawful rights of people is a significant issue, any decision to do so must be based, as far as is practicable, on robust evidence and through a legal process.

Annex E

Farming in Protected Landscapes Scheme

The UK Government has recently introduced the Farming in Protected Landscapes programme, a three-year transitional grant funding programme (2021-2024), whereby Protected Landscapes in England, including the Lake District National Park, are able to support farmers and land managers to help grow their businesses and create more jobs. This will increase the farm business resilience which in turn contributes to a more thriving local economy and community.

This programme provides funding to support cultural heritage under one of its four themes (*Place - supporting these landscapes as centres of excellence and green innovation that are flourishing places to live and work, each with a strong identity and cultural heritage, and high recognition as attractive visitor destinations*). The expected outcomes include that historic structures and features are conserved, enhanced or interpreted more effectively, therefore closely aligning to UNESCO's request to ensure conservation of landscape-defining features.

The programme has four objectives:

Climate—supporting the delivery of net zero through nature and nature-based solutions to help communities mitigate and adapt to climate change

Nature—supporting their leading role in the delivery of the Nature Recovery Network and achieving the Government's commitment to protect 30% of land by 2030

People—providing a natural health service that will improve the nation's public health and wellbeing through increased access to nature across all parts of society, as part of our green recovery

Place—supporting these landscapes as centres of excellence and green innovation that are flourishing places to live and work, each with a strong identity and cultural heritage, and high recognition as attractive visitor destinations.

<https://www.gov.uk/guidance/funding-for-farmers-in-protected-landscapes>

Annex F

The Lake District Management Plan Research Framework

Projects under the research framework referred to in the text:

1. Drought project (RP03)

Exploring drought risk with respect to communities on private water supplies – planning for the future

Rationale - A number of communities across the Lake District rely on private water sources for their potable supplies. This project is designed to explore the risk of drought from medium to long term climate change to their supplies and design appropriate solutions.

Aim 1: Understand the number of properties on private water supplies in the National Park.

Aim 2: In the context of climate change in the next 50 years understand the level of drought risk to these properties. Is the level of risk spatially differentiated i.e. Do some properties have access to more water than others? Are some properties more able to adapt and make use of interventions than others?

Aim 3: How-where-when should investment be made to make communities on private water supplies more resilient to drought.

2. Drought project (RP04)

Investigating the relationship between drought and Lake District economic functionality of lake water levels

Investigate the ecological (e.g. algal blooms) effects of drought and lower water levels from climate change over the next 50 years on biological parameters of Lakes (e.g. water chemistry) drought at certain times of year. This project is designed to explore the effects of reduced lake water levels with the economic functionality of lakes.

Aim: Identify what elements of and to what extent the local economy is associated with the 16 “main lakes” in the Lake District; break down the sectors and industries that make up this economy and how this translates into a monetary value for each lake that can be disaggregated according to these sectors and industries.

Aim: Understand the scale and frequency of drought impacts in the Lake District with climate change over the next 50 years and how this will influence the water levels of the Lake District’s 16 “main lakes”. Are some Lakes more vulnerable to drought than others? What are the reasons for this?

3. Sustainable communities project (RP05)

Rationale: This project looks at sustainable in its broadest and holistic sense, ie transport, housing, social, environment, planning, employment, demographic, zero carbon. Can we devise a menu of things needed – they could be community specific as not every community needs the SEVEN key services.

Aim: Creating a model for a sustainable Lakes Community.