

Countryside and Rights of Way (CROW) Act 2000

REVIEW OF STATUTORY DIRECTION(S)

SUMMARY FOR PUBLIC CONSULTATION

Prepared by Natural England

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Access Authority: Buckinghamshire County Council
Relevant Authority: Natural England
Local Access Forum: Buckinghamshire

Natural England is about to review the following direction:

Land Parcel Name:	Direction Reference:
Land at Chawley Manor Farm, near West Wycombe	(a) 2006040177 (b) 2006070033 (c) 2012026254

This is in line with the relevant authority's statutory duties (see annex 1)

Your views on the current direction are sought to assist Natural England in deciding whether the restriction is still necessary for its original purpose; and if so, whether the extent and nature of the restriction is still appropriate for the original purpose.

The relevant authority may decide to revoke the direction or that no change to the extent and/ or nature of a direction except the end date is necessary. In which case a Consultation Outcome Report will be published on the [Consultation Pages](#) of the Government's website¹.

¹ https://www.gov.uk/government/publications?publication_filter_option=consultations. To access the consultation enter "Open Access" into the free text box titled "Contains" and then filter by "Natural England" in the Department drop down.

If the relevant authority decides to vary a further round of public consultation may be necessary in which case a second Consultation Summary Report will be published.

2. SUMMARY OF EXISTING DIRECTION(S)

Land Parcel Name:	Direction Ref.	Dates of restriction on existing direction:	Reason for Exclusion
Chawley Manor Farm, near West Wycombe	(a) 2006040177	(a) Keep dogs to leads and on fenced route <i>only</i> , all year, until 01/02/2023	(a) Disturbance to game, and public safety (game shooting and livestock)
	(b) 2006070033	(b) Walkers to keep to fenced route only from 1/7 until 1/2 annually, until 01/02/2023	(b) Disturbance to game
	(c) 201206254	(c) to restrict dogs to the fenced route from the 2nd October to 1st February and every season for six years until until 01/02/2023	(c) Disturbance to game

Natural England made these long term directions on:

- 2006040177 – 28/02/2017
- 2006070033 – 28/02/2017
- 201206254 – 28/02/2017

A short summary is provided below giving the background to the direction. This should be read in conjunction with the other associated documents sent as part of this consultation. Further information is available from:

robert.morris@naturalengland.org.uk

The site and the locality

The site is within the Chilterns AONB. Known as Tom's Bank, as part of Chawley Manor Farm, prior to commencement of the CRoW rights there was no public access to it at all. It is approximately 22 hectares of open grassland, with some areas managed as scrub for game cover. There are two fields, with only a narrow connecting area.

There are no rights of way over the site itself, but several such rights exist in the area. Access to these rights of way can be made by using the Chinnor Road, along the site's northern boundary, but this is narrow and can be busy. A path across the site has been fenced off, with the landowner's permission, in connection with the current restrictions. Use of this path (and the accompanying precautions) thus allows safe and ready access throughout the year – even on days when shooting takes place - between sections of the county's rights of way network.

There are other areas of access land in the area (within 5 kilometres), being mostly registered common land. There are no specific attractors to this site, and usage of the CRoW access rights has never been reported as high. The land owner has confirmed that the land management arrangements have remained unchanged since the last review, 5 years ago.

The need for restrictions on access

a) Re game shooting

Since the mid 1970s, the site has been managed as part of a commercial partridge shoot, the Church Wood Shoot, with some let days and some down to a syndicate. Some 5000 birds are shot each year on this site alone, (many more on the whole shoot area) by using some 6 drives per shoot day, over around 30 shoot days throughout the shooting season. This season runs from 1/9 to 1/2 inclusive. The drives across this site are highly valued by the Shoot.

In July and August, prior to the shooting season, the partridge are released onto the site, which they will not as yet regard as their home territory. During this period, the birds roost and feed on the grassland. Not yet habituated to the site, they will react easily to any disturbance, in particular to dogs. They are therefore highly likely, if disturbed, to fly off

site and not return to be available to the guns in due course, to the landowner's commercial detriment.

During the season, shooting takes place on site relatively frequently such that the birds are rarely at peace for long. They are thus likely to become more sensitive to disturbance as the shoot continues, and be more eager to seek cover away from the open grassland.

b) Re grazing livestock

After the partridge shooting season, grazing rights on the land are leased to a neighbour. The site is grazed by sheep in April and May and, still under lease, by suckler cows, from May until October. The former can co-exist with walkers, the latter less so as it is not safe to come between cow and calf - which dogs may unwittingly do. It should be noted that the cattle are not disturbed by the shoot, and may remain on site even on shoot days.

The national restriction (under CRow Schedule 2 paras. 5-6) requiring dogs to be on short fixed leads in the presence of livestock, and generally between 1st March and 31st July, was seen as inadequate in practice here to meet the safety needs.

3. SUBMITTING COMMENTS ON THE REVIEW

If you wish to comment on the review of this direction then you must do so before 30/09/2021 directly to.

Rob Morris
Natural England
Level 0, County Hall
Spetchley Road
Worcester
WR5 2NP

robert.morris@naturalengland.org.uk

A map accompanies this notice and is attached

Using and sharing your consultation responses

In line with Natural England's [Access to Information Statement](#), any comments you make, and any information you send in support of them, will help us to determine the application and / or determine if the restriction is still necessary in relation to the review or reassessment of a current direction.

We may wish to pass such comments or information to others in connection with our duties and powers under the open access legislation. This may mean for example passing information, including your name and contact details, to the Secretary of State or their appointees, the Planning Inspectorate or to the relevant access authority(s).

We do not plan to publish individual comments in full, but we may publish extracts from them when we report on our consultation(s).

There may also be circumstances in which we will be required to disclose your response to third parties, either as part of the statutory process for consideration of representations and objections about our decision, or in order to comply with our wider obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please explain clearly why you regard the information you have provided as confidential. However, we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.

Annex 1

In accordance with statutory guidance, the relevant authority has a duty to:

- review directions of a long-term character no later than their fifth anniversary; and
- revoke or vary directions where necessary.

Under CROW section 27(3) the relevant authority must review, at least every five years, any direction it has given that restricts access indefinitely; for part of every year; for part of each of six or more consecutive calendar years; or for a specified period of more than five years.

During the review the relevant authority must, having regard to the interest of the public in having access to the land, consider whether the restriction is still necessary for its original purpose; and if so, whether the extent and nature of the restriction is still appropriate for the original purpose.

Before reviewing a long-term direction the relevant authority must consult:

- the local access forum;
- the applicant or his successor in title, where reasonably practicable – for directions under section 24 or 25 made on application; or
- the relevant advisory body – for a direction made under section 26.

The authority must also publish a notice on a website (and send a copy to statutory consultees) that must explain that the authority proposes to review the direction in question; where documents relating to the review may be inspected and copies obtained; and that representations in writing with regard to the review may be made by any person to the authority by a date specified in the notice.

Once consultation is complete the relevant authority should have regard to any representations it receives before making a decision.

If following the consultation, the Relevant Authority decides to:

- leave the original direction unchanged, the relevant authority should record the date that the decision was made and should schedule a subsequent review where necessary.

If following the consultation, the Relevant Authority decides to:

- vary a direction in any way (type, extent or date), the relevant authority must give a new direction under the same section that was used to give the original direction. If the new direction is long-term, it must be reviewed within five years of the date it is given;

- revoke a direction, the relevant authority must give a new direction under the same section to revoke it. There is no requirement to review the new direction.

Before varying or revoking a direction the relevant authority must: consult the original applicant or his successor in title, where reasonably practicable – for directions given under section 24 or 25 on an application; or consult the relevant advisory body – for directions given under section 26. In either case, follow the consultation procedures set out in the Relevant Authority Guidance but only if it proposes to give a new direction that would restrict access indefinitely or for more than six months continuously.