

## Countryside and Rights of Way (CROW) Act 2000

### REVIEW OF STATUTORY DIRECTION(S)

#### SUMMARY FOR PUBLIC CONSULTATION

Prepared by South Downs National Park Authority

### 1. INFORMATION ABOUT THE PUBLIC CONSULTATION

**Access Authority:** South Downs National Park Authority  
**Relevant Authority:** South Downs National Park Authority  
**Local Access Forum:** South Downs Local Access Forum

**South Downs National Park Authority** is about to review the following direction:

Land Parcel Name	Direction Reference
Cheriton Wood, Hampshire	2006040060

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

Your views on the current direction are sought to assist South Downs National Park Authority (SDNPA) in deciding whether the restriction is still necessary for its original purpose; and if so, whether the extent and nature of the restriction are 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 website<sup>1</sup>.

If the relevant authority decides to vary the extent or nature of a restriction, a further round of public consultation may be necessary (see Annex 1) in which case a second Consultation Summary Report will be published.

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<sup>1</sup>[https://www.gov.uk/government/publications?publication\\_filter\\_option=consultations](https://www.gov.uk/government/publications?publication_filter_option=consultations). To access the consultation enter "Open Access" into the free text box titled "Search" and then filter by "Natural England" in the Organisation drop down.

## **2. SUMMARY OF EXISTING DIRECTION(S)**

<b>Land Parcel Name</b>	<b>Direction Ref.</b>	<b>Dates of restriction on existing direction</b>	<b>Reason for Exclusion</b>
Cheriton Wood	2006040060	28/03/2017 – 27/03/2023	Avoidance of danger to the public and land management

SDNPA made this long term direction on 16/01/2017.

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.

The land parcel known as Cheriton Wood is situated to the east of Cheriton village, and to the south-east of Alresford, Hampshire. The land is used for game bird (pheasant) shooting. Natural England originally made a direction in 2006 and again in 2011; the SDNPA made a direction in 2017. The existing direction allows the landowner to exclude public from the land between 1st July and 1st February, on any dates up to a total of 210, annually. The purpose of the direction is to prevent disruption to game bird management. The landowner must notify the Open Access Contact Centre of the said dates, in order that the exclusions can be published on the access mapping website.

Further information is available from [access@southdowns.gov.uk](mailto:access@southdowns.gov.uk)

### **3. SUBMITTING COMMENTS ON THE REVIEW**

If you wish to comment on the review of this direction then you must do so before 16/07/2021 directly to:

[access@southdowns.gov.uk](mailto:access@southdowns.gov.uk)

A map accompanies this notice and is attached and can be seen on the [Consultation Pages](#) of the Government's website<sup>2</sup>.

#### **Using and sharing your consultation responses**

Information is collected for the purpose of delivering the SDNPA's Public Task under the Countryside and Rights of Way (CROW) Act 2000 and used in line with SDNPA's Privacy Policy. 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 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 Natural England.

We do not plan to publish individual comments in full, but we may publish extracts from them when we report on our consultation(s). This report may include a list of names of organisations that responded but not the names, addresses or other contact details of individual respondents.

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 notify us as to 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 SDNPA.

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<sup>2</sup> [https://www.gov.uk/government/publications?publication\\_filter\\_option=consultations](https://www.gov.uk/government/publications?publication_filter_option=consultations). To access the consultation enter "Open Access" into the free text box titled "Search" and then filter by "Natural England" in the Organisation drop down.

Identifiable personal data will be deleted after 6 years of the completion of the consultation exercise, any anonymised comments used in the production of the final report will be retained in perpetuity.

## 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 record the date that the decision was made.

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.