

Countryside and Rights of Way (CROW) Act 2000

REVIEW OF STATUTORY DIRECTIONS

SUMMARY FOR PUBLIC CONSULTATION

Prepared by Natural England and Peak District National Park Authority
February 2024

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Access Authorities: Kirklees Council and Peak District National Park Authority
Relevant Authorities: Natural England and Peak District National Park Authority
Local Access Forums: Peak District Local Access Forum

Natural England and the Peak District National Park Authority are about to review the following directions:

Land Parcel Name	Direction Reference	Relevant Authority
Deer Hill - Site A	2004060106	Natural England
Deer Hill - Site B	2014037129	Peak District National Park

Your views on the current directions are sought to assist Natural England and the Peak District National Park Authority in deciding whether the restrictions are still necessary for their original purpose; and if so, whether the extent and nature of the restrictions are still appropriate for the original purpose.

Annex 1 sets out the statutory requirements.

2. SUMMARY OF EXISTING DIRECTIONS

Land Parcel Name:	Direction Ref.	Dates of restriction on existing direction:	Reason for Exclusion
Deer Hill – Site A	2004060106	Excluded at all times until 31 December 2024	Public safety and Land management
Deer Hill – Site B	2014037129	Excluded at all times until 31 December 2024	Public safety and land management

The directions were made by the Peak District National Park and Natural England to restrict CROW access on the above land under sections 24 and 25(1)(b) of the Countryside and Rights of Way Act in order to exclude access to allow shooting to take place without interruption and to avoid danger to the public. Site B was reassessed in 2009/2010 and the area of land restricted was varied following revisions to the fall of shot zones. Access to the crags to the west of the site is now available and also by negotiation with the shooting club for British Mountaineering members on other climbing areas.

At the time of the review in 2019, evidence was collected from the applicant confirming the timings, patterns, and frequency and nature of use. This showed that an outline restriction which required prior notification was not practical because of the topography of the site and

frequent and ad hoc nature of use of the site for shooting, often at short notice. The shooting club also confirmed that the level and type of use remained the same.

3. SUBMITTING COMMENTS ON THE REVIEW

If you wish to comment on the review of this direction then please do so by **5 April 2024**. Please send comments directly to the officer listed below.

Reference	Comments to:
Site A – direction ref 2004060106	Katherine.Sutton@naturalengland.org.uk
Site B - direction ref 2014037129	sue.smith@peakdistrict.gov.uk

Maps accompany this notice and are attached and can be seen on the [Consultation Pages](#) of the Government's Website..

Using and sharing your consultation responses

In line with Natural England's [Personal Information Charter](#), 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 will summarise all responses and place this summary on [the Government's consultation website](#). This summary will 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 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.
- vary the extent or nature of a direction, 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, we will 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.