

**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: East Sussex**  
**Relevant Authority: Natural England**  
**Local Access Forum: East Sussex**

Natural England is about to review the following direction:

<b>Land Parcel Name:</b>	<b>Open Access or England Coast Path</b>	<b>Direction Ref.</b>	<b>Dates of restriction/exclusion on existing direction:</b>	<b>Reason for restricting/excluding access</b>
Kingstanding Training Facility	Open access	2009030025	05/12/2019 – 30/06/2025	CROW section 25(1)(b)  No Public Access – Hazardous Operations

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 the original purpose, and if so, whether the extent and nature 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 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 the restriction a further round of public consultation may be necessary (see Annex 1) in which case a second Consultation Summary Report will be published.

## **2. SUMMARY OF EXISTING DIRECTION**

Natural England made this long-term direction on 04/11/2019

The short summary below gives the background to the direction. This should be read in conjunction with the other documents available as part of this consultation. Further information is available from Rob Morris; email [Restriction.representations@naturalengland.org.uk](mailto:Restriction.representations@naturalengland.org.uk) or telephone 02080260915.

The restricted area is fenced and gated heathland, used at various times of the day and week, often scheduled at the last moment, for training police dogs in search and rescue work, and in detaining suspects by force.

It is also used ad hoc for the essential free exercise of such dogs, which cannot safely be allowed to run freely with other dogs (as would be found on the substantial open area of Ashdown Forest which surrounds this site).

The Open Country also surrounds, and provides the only access along a narrow road for, an inner enclosed partly built-up zone (not mapped as access land) used for training police officers on various activities such as hostage rescue. This inner zone is also used for training on joint activities with other emergency services.

The presence of any walker, with or without dogs on the site would, according to the applicant be a danger to the walker, vulnerable to attack from any dog, and severely disrupt the activity on site including any training being undertaken in the inner zone.

The purpose of the restriction was to allow such activities to continue on a site

---

<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 "Contains" and then filter by "Natural England" in the Department drop down.

equipped for the purpose and long used for same, with minimal disruption to the public.

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

If you wish to comment on the review of this direction then you must do so before 28<sup>th</sup> February directly to Rob Morris; email Restriction.representations@naturalengland.org.uk or telephone 02080260915.

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

#### **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/ exclusion 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

---

<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 "Contains" and then filter by "Natural England" in the Department drop down.

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 the extent or nature of a restriction, the relevant authority will issue a new direction under the same section and direction number 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.