

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

### REVIEW OF STATUTORY DIRECTION

#### SUMMARY FOR PUBLIC CONSULTATION

Prepared by the Peak District National Park Authority  
May 2020

#### 1. INFORMATION ABOUT THE PUBLIC CONSULTATION

**Access Authority:** Peak District National Park Authority  
**Relevant Authority:** Peak District National Park Authority  
**Local Access Forum:** Peak District Local Access Forum

The Peak District National Park Authority is about to review the following direction:

<b>Land Parcel Name:</b>	<b>Direction Reference</b>
<b>Top Field, Crowden</b>	<b>2014117473</b>

Your views are sought to assist the National Park Authority 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.

Following consultation, the National Park Authority may decide to revoke the direction or decide 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.

If we decide to vary the extent or nature of a restriction, a further round of public consultation may be necessary, in which case a second Consultation Summary Report will be published.

Appendix 1 sets out the statutory requirements for this review.

#### 2. SUMMARY OF EXISTING DIRECTION

<b>Land Parcel Name:</b>	<b>Dates of Restriction</b>	<b>Reason for Exclusion</b>
<b>Top Field, Crowden</b>	<b>Excluded at all times until 31 December 2020.</b>	<b>Land Management/ Public Safety</b>

The PDNPA made an outline direction in 2004 to restrict CROW access on land used for clay pigeon shooting which required the applicant to give prior notification to the Open Access Contact Centre when shooting was required up to a maximum of 156 days pa. The applicant appealed against this decision on both the extent and duration.

The inspector took into account evidence presented on usage and the area to which the direction should apply. He decided that a permanent exclusion was necessary and that the direction should extend over the whole of the site.

As directed by the appeal decision, the PDNPA made a new direction in 2005 to restrict CROW access under section 24 and 25(1)(b) of the Countryside and Rights of Way Act in 2004, in

order to prevent danger to the public from clay pigeon shooting and to allow the land to continue to be managed without undue cost or burden upon the landowner.

### 3. SUBMITTING COMMENTS ON THE REVIEW:

Reference:	Comments to:
Top Field, Crowden – 2014117473	<a href="mailto:sue.smith@peakdistrict.gov.uk">sue.smith@peakdistrict.gov.uk</a>

If you wish to comment on the review of this direction then please do so by **12<sup>th</sup> June 2020**.

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

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.

## Annex 1

In accordance with statutory guidance, the Peak District National Park Authority (PDNPA) 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 the 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 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, 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; and 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.