

## 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:

<b>Land Parcel Name:</b>	<b>Direction Reference:</b>
Wayside Farm (Lower Horseshoes)	2006100011

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

Your views on the current direction are sought to assist the relevant 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 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 "Contains" and then filter by "Natural England" in the Department 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>
Wayside Farm (Lower Horseshoes)	2006100011	1 <sup>st</sup> October -1 <sup>st</sup> February each year until 2023  Weds and Saturday only.	Prevention of disruption of the shoot

Natural England made this long term direction on 28<sup>th</sup> February 2017.

A short summary is provided below giving the background to the direction.

An application was made to exclude access on the day of the shoots, namely Wednesday and Saturday and also that access be excluded on the days following the shoot in order that the birds might return to the land undisturbed.

It was recognised that unrestricted access by walkers with and without their dogs on the day of the shoot would cause conflict. A solution was reached whereby access has been effectively managed by a combination of statutory restriction and informal management techniques.

A statutory restriction was necessary to restrict CROW visitors at Lower Horseshoes to a linear route that runs immediately adjacent to the fence at the south east end of the field. This linear route is shown on the enclosed map and has allowed visitors to continue their walk through the land without significantly disrupting those involved in driven game shooting.

This restriction has been operating during times when driven game shooting is taking place on the land - each Wednesday and Saturday between 1 October and 1 February annually until 2023

A kissing gate was installed at Bottom Lane, at the Southern end of the boundary. Signs at both entry points informed the public of the directions in place and, in addition, inform visitors of the dog related national restrictions on CROW access.

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

If you wish to comment on the review of this direction then you must do so before 30<sup>th</sup> September directly to: [Robert.morris@naturalengland.org.uk](mailto:Robert.morris@naturalengland.org.uk)

Robert Morris  
Natural England,  
Level 0 County Hall  
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A map accompanies this notice and is attached and can be seen on the open access consultation page on Natural England's website [www.naturalengland.org.uk/openaccess](http://www.naturalengland.org.uk/openaccess)

If, following consultation, we decide that the existing directions are still appropriate and do not need to be changed then we will record the decision and set a new review date (which will be no later than 5 years from the completion of this review).

## 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.