

Countryside and Rights of Way (CROW) Act 2000

REVIEW OF STATUTORY DIRECTION

SUMMARY FOR PUBLIC CONSULTATION Prepared by Sarah Haigh, Natural England

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Access Authority: Lincolnshire County Council
Relevant Authority: Natural England
Local Access Forum: South Lincolnshire and Rutland LAF

Natural England is reviewing the following direction:

Land Parcel Name:	Direction Reference:
Woodnook Valley, Lincolnshire	2005090101

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 of the restriction is still appropriate.

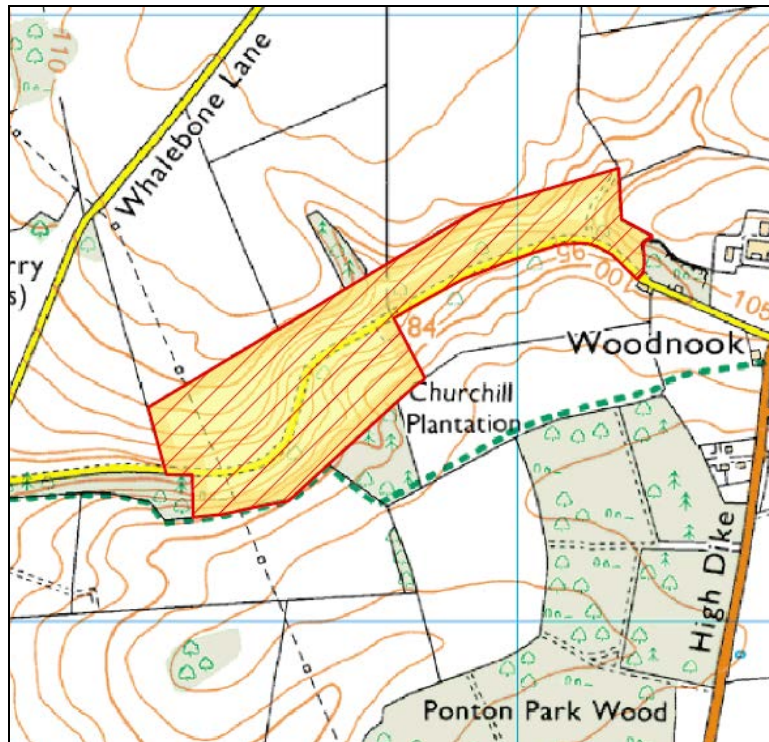
The relevant authority may decide to revoke the direction or that no change to the extent and/or nature of a direction except the end date is necessary. In which case a Consultation Outcome Report will be published on the [Consultation Pages](#) of the Government's Website¹.

2. SUMMARY OF EXISTING DIRECTION

Land parcel name	Direction reference	Dates of restriction on existing direction	Reason for Exclusion
Woodnook Valley	2005090101	Outline direction excluding access for 12 days each year during the pheasant and partridge shooting season, between 1 September and 31 January each year until 31 January 2021.	The restriction is necessary to prevent disruption to formal driven shoots, under Section 24 of CROW.

¹ 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.

Natural England completed the last review of this long term direction on 21 January 2015. The map below shows the area that the restriction applies to, hatched in red.



The outline direction allows up to 12 days per year, in the pheasant and partridge shooting season, to exclude the public from the land on shoot days. The restriction is necessary to prevent disruption to formal driven shoots, under section 24 of CROW, both to avoid disturbance to game birds, and because it is not practical to manage the passage of visitors effectively through the area while the shoot takes place.

The outline direction has consistently been called off by the applicant each year, using the maximum number of days allowed each shooting season since the direction was given in 2005.

The applicant and the game keeper have both advised that the circumstances remain the same since the last review, that the exclusion works well for them, and that the 12 days sufficiently cover the days that they shoot each season. No changes in the management of the land and the shoot are anticipated, and they would like the restriction to continue as it does now.

As the circumstances appear to be unchanged since the last review, Natural England is currently minded to extend the existing direction for another 6 years.

However, we will consider any new information received from this consultation before making a decision.

3. SUBMITTING COMMENTS ON THE REVIEW

If you wish to comment on the review of this direction then you must do so by Monday 18 November 2019, directly to Sarah Haigh at sarah.haigh@naturalengland.org.uk.

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.

If following the consultation, the Relevant Authority decides to:

- vary the extent or nature of a restriction, 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.