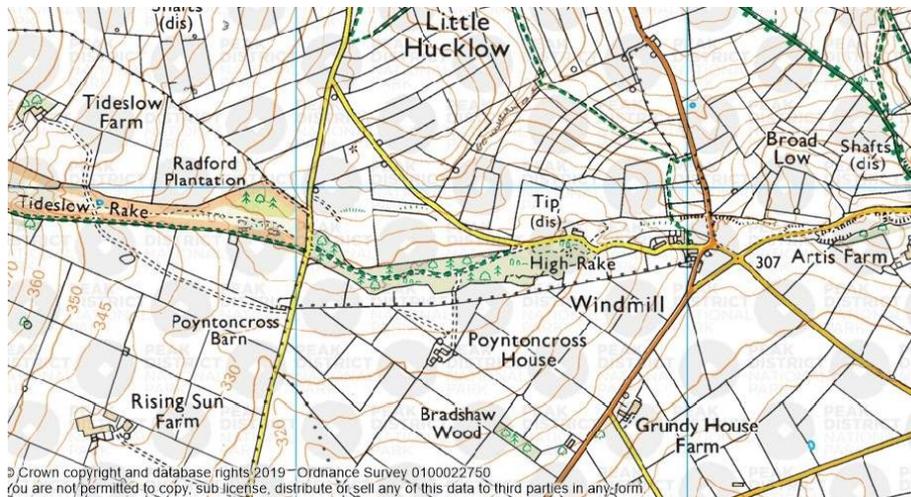


**High Rake, Little Hucklow  
Access & Rights of Way  
May 2019**



**The site**

The land is a former lead rake comprising 13.07 ha on the outskirts of Windmill, near Great Hucklow. The land is hummocky and elevated and provides long distance views down Bradfield Dale to the north, Tideswell Rake to the west and Wardlow Hay to the south east. The site provides a continuation in terms of landscape, heritage and access to Tideswell Rake.



The central part of the site is in part a Scheduled Monument with building remains and interpretation panels. Railings secure the mine features and there is fencing along the access road to the farm. Access to the Scheduled Monument is via the public footpath and concession bridleyway at the point where it leaves the farm track. A further gate is approx. 80m to the south

to provide access to the lower part of the site from the farm track. Woodlands lie along the southern border of this central area, adjacent to the public right of way. The remainder of the land is grassy hillocks and hollows and open in nature.



The easternmost part of the site is bounded by the road, farm track and neighbouring fields. The land adjacent to the road is unfenced. The small informal area for parking is not part of the land for sale. A lead rake cuts through the hillocks. Behind this are two areas of fenced woodland with a field gate leading in between these to an area of pasture.



The westernmost part of the site contains the public footpath and concession bridleway which is bounded to its north and south by fenced woodland.

#### Existing Public Access

The site is used by the public for:

- access across the site to connect with other public rights of way and minor roads on foot, by horse and on bike
- access to the historic High Rake Mine
- access to an accessible viewpoint
- access for quiet enjoyment

A route - marked as a path on maps - leads from the easternmost corner of the site skirting along the edge of the open-cut through the hillocks before dropping down to the parking area and the farm access track. The walked line of approx. 0.5 m in width does not have the designation of a formal public right of way and is not marked by signpost or waymarks but evidence of some defacto access exists. The route avoids the restricted visibility of the road.



A public footpath commences where the farm access track leaves the road and continues along it for 100m until the building remains are met. This route is signed at the roadside as a public footpath and concession bridleway. The public right of way and concession route then continue through a bridlegate to follow westwards along a well-defined level and surfaced track of approx. 1.5m in width to a further bridlegate and field gate.



Access and interpretation to and within the scheduled remains is provided by information panels and a gate leading from the farm access to the lower section. Access is freely available to the remains and the wider area including linking to a bench on and along the northern boundary of the hillocks before joining the path at the western gate.



The final section of the public footpath and concession bridleway runs westwards to the road. The path is approx. 1 m in width and shows little evidence of deviation. The fingerpost from the signpost is missing but waymarks show the status of the route as a public footpath and concession bridleway.

The woodlands are well-fenced and show no signs of public access.

### Options for Protection of Public Access

Statutory protection is provided for the public right of way (PRoW) under the Highways Act 1980. Derbyshire County Council have a duty to maintain the path and for signing it and can take enforcement action for an unauthorised diversion or stopping up of the right of way. The path walked on the ground has not been diverted and appears to follow the definitive line of the PRoW.

The National Park Authority has provided for concessionary access for cyclist and horse riders along the public footpath. Evidence is available to show that this is used and meets a need. A concession agreement with a potential purchaser for the concession bridleway will be required to ensure that this route remains available for use by bikes and horses. Alternatively, there is the option of dedicating as a public bridleway, if it was considered to be necessary.

There was also evidence that the path running through the hillocks to the east had been used on occasion by a horse rider. This section had not been promoted as a concession bridleway because use by horse riders and cyclists, and any improvements to the path required as a result of that, could impact on the valued interests of the hillocks. However, its use for access on foot should be protected as such together with any necessary signage. Any claim for higher rights on this section could be dealt with by the Highway Authority outside the disposal process.

Area access to allow exploration and interpretation of the mine remains takes place in the central part of the site. There is a case for dedicating this central part of the site as Access Land under s16 of Countryside and Right of Way Act 2000 (CRoW). This would protect the access in perpetuity, provide reduced occupiers liability, and for public awareness through its mapping. The process is straightforward and comes into effect, six months following dedication. The NPA could carry out the consultations to initiate the process. In the absence of dedication, an agreement for permissive area access should be drawn up with the purchaser.

Covenants can make reference to agreements or dedication, to access being available for the use of the public free from obstruction or interference at all times, to require that on site signage and interpretation is not taken down, for the maintenance of gates, and for replacement or new fencing with the prior approval of the National Park Authority.

Sue Smith  
Access Officer