

# Peak District Local Access Forum

**Date:** 16 October 2024

**Item:** 8

**Title:** Review of Long-term Directions Restricting Access

**Author:** Sue Smith

## **Purpose of the Report**

The purpose of the report is to notify the Forum on the consultations for the review of open access land exclusions.

## **Background**

In accordance with statutory requirements, the National Park Authority is reviewing its long-term directions to see whether they are still necessary and appropriate. In February 2024, the Forum received a report which identified the review process and the sites to be statutorily reviewed.

The reviews at Deer Hill, Diggle, and West Nab have been completed. The Forum's response to the proposed variation at West Nab, Bradfield is attached in Appendix 1. The existing direction was varied as proposed.

## **Hollins Hill**

The restriction relates to an exclusion of dogs whilst cattle are calving or have calves at foot. The Forum considered the original directions in 2004/05, and the reviews during 2010, 2015, and 2020.

The consultation relating to the statutory review is attached at Appendix 2. The consultation ends on 29 November 2024.

## **Recommendation**

- 1. That the LAF confirms its consultation response attached in Appendix 1.**
- 2. That the LAF considers whether they wish to make a response to the consultation in Appendix 2.**

## Appendix 1



Peak District Local Access Forum  
c/o Peak District National Park Authority Aldern House  
Bakewell DE45 1AE

Sue Smith  
Access and Rights of Way Officer  
Peak District National Park Authority Aldern House  
Bakewell DE45 1AE  
by email: [sue.smith@peakdistrict.gov.uk](mailto:sue.smith@peakdistrict.gov.uk)

17 June 2024

Dear Sue

### **REVIEW OF STATUTORY DIRECTION RESTRICTING ACCESS AT WEST NAB REFERENCE 2014037142**

I am writing to you on behalf of the Peak District Local Access Forum (PDLAF), in response to the above Review, as set out in your consultation document dated June 2024. The Peak District Local Access Forum is the statutory body advising the Peak District National Park Authority and Derbyshire County Council on recreation and access matters within the LAF area. Forum members are drawn from a wide range of access interests including walking, climbing, cycling, horse riding, recreational motor vehicles, farming, land management, conservation, climate change and local business. The proposals in the consultation were shared with all LAF Members and discussed at our meeting on 12 June 2024. Members raised no objections and welcomed both the proposed variation to the way-marked linear route, and the provision of additional access at such times when no red flags are flying. In our view this represents a significant improvement in access for all users.

Yours sincerely

Louise Hawson  
On behalf of the Peak District Local Access Forum

Copies by email to:  
Peak District National Park Authority: Mike Rhodes  
Derbyshire County Council: Gill Millward  
Members of the Peak District LAF

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

### REVIEW OF STATUTORY DIRECTION

#### SUMMARY FOR PUBLIC CONSULTATION

Prepared by the Peak District National Park Authority

October 2024

#### 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:

Land Parcel Name:	Direction Reference
Hollins Hill	2014097377

Your views on the current direction 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 for the original purpose. Annex 1 sets out the statutory requirements.

#### 2. SUMMARY OF EXISTING DIRECTION

Land Parcel Name:	Dates of Restriction	Reason for Exclusion
Hollins Hill	Dogs excluded between 01/05 to 31/10 until 31/12/2025.	Land Management

The National Park Authority made a direction in 2004 to restrict CROW access under section 24 of the Countryside and Rights of Way Act to exclude dogs for the period 01 May to 31 October each year whilst cattle are calving or have calves at foot. The topography of the land is such that cattle and dogs could come across each other with little warning.

At the time of the last review in 2020, the applicant confirmed the importance of the land for calving and the lack of a suitable alternative. The direction is conditional on the availability of the concessionary path to access the land.

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

Reference:	Comments to:
Hollins Hill – 2014097377	<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 **29 November 2024**.

A map accompanies this notice.

## **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 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.