

# Peak District Local Access Forum

**Date:** 19 February 2025

**Item:** 9

**Title:** Consultation on Long-term Directions Restricting Access

**Author:** Sue Smith

## **Purpose of the Report**

The purpose of the report is to notify the Forum on:

- (i) the consultations for the review of open access land exclusions; and
- (ii) a consultation for extending the long-term direction excluding public access at Silence and Old Grove Mines.

## **Background**

In accordance with the Countryside and Rights of Way (CROW) Act 2000, the National Park Authority is reviewing its long-term directions and consulting on an extension to a long-term direction to restrict access rights.

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.

## **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, 2020, and at the Forum meeting in October 2024.

The Authority has met with the landowner who has confirmed that the direction is still necessary and that there are no suitable alternatives. The direction is conditional on the concession path to the land being available at all times, the line of which is to be further assessed.

## **Crowden**

The site is a clay pigeon shoot. The restriction was granted on appeal in 2005. The Forum considered reviews in 2010, 2015, and 2020.

The consultation relating to the statutory review is attached at Appendix 1. The consultation ends on 28 March 2025.

## **Silence Mine**

The Authority has made a series of directions on public safety grounds since 2018 to allow for investigations and remediation of the instability. In June 2024, backfilling of the voids at the site commenced.

It is proposed to extend the duration of the direction by a further two-year period to 30 April 2027 to allow further consideration of the access that might be allowable.

The consultation is attached at Appendix 2.

**Recommendation**

- 1. That the LAF consider their response to the consultations at Crowden and Silence Mine, and for any at Hollins Hill.**

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

**REVIEW OF STATUTORY DIRECTION**

**SUMMARY FOR PUBLIC CONSULTATION**

**Prepared by the Peak District National Park Authority  
February 2025**

**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 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. Annex 1 sets out the statutory requirements.

**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 2030.</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.

At the inquiry, the inspector considered the evidence presented on usage and the area to which the direction should apply and decided that a permanent exclusion was necessary 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.

At the review in 2020, the applicant confirmed the extent and nature of the clay pigeon shooting.

### 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 **28 March 2025**.

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 Natural England.

We do not plan to publish individual comments in full, but we may publish extracts from them when we report on our consultation(s).

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.



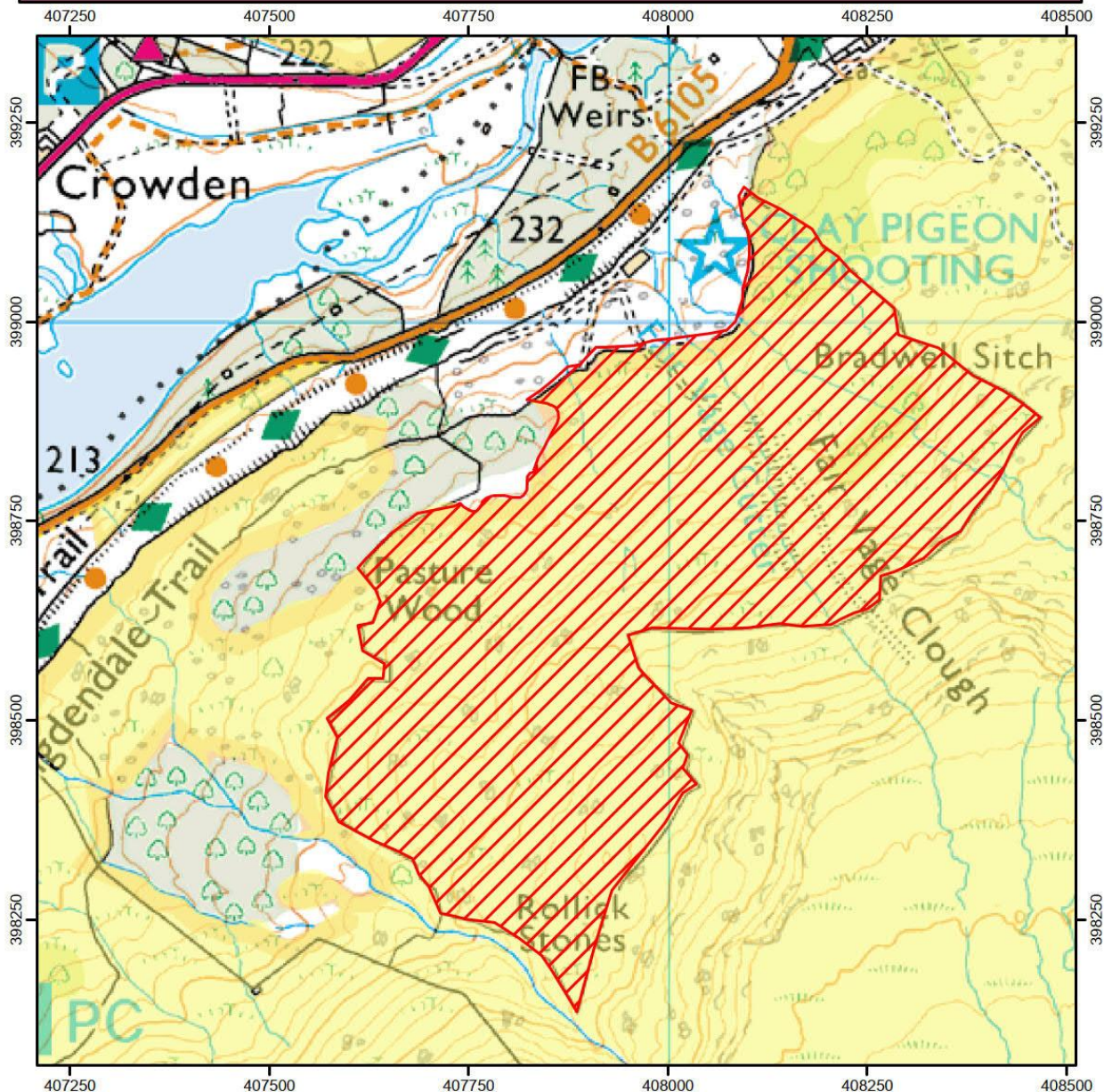
# CROW Open Access: Consultation on review of restriction

Please see accompanying notice.

Consultation start date: 14 February 2025

Consultation end date: 28 March 2025

Case number : 2014117473



0 150 300 Metres



Restricted Open Access Land



Open Access Land



For more information call the Open Access Contact Centre on 0300 060 2091  
or visit our website at [www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam](http://www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam)



## Appendix 2

# SUMMARY FOR PUBLIC CONSULTATION

## COUNTRYSIDE AND RIGHTS OF WAY (CROW) Act 2000

### PROPOSAL FOR A LONG-TERM DIRECTION RESTRICTING ACCESS

February 2025

#### 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

Land Parcel Name:	Direction Ref.
Silence & Old Grove Mines, Great Hucklow	2018088745

The Peak District National Park Authority (PDNPA), as Relevant Authority, is proposing to extend the duration of the above direction until 30 April 2027 or until the completion of site remediation to the satisfaction of the PDNPA, as the Mineral Planning Authority, whichever is the sooner.

As the restriction of public access on this land is proposed to last for longer than six months continuously, public consultation is required to inform the proposal.

#### 2. SUMMARY OF EXISTING & PROPOSED DIRECTION

Land Parcel Name:	Dates of Restriction	Reason for Exclusion
Silence & Old Grove Mines, Great Hucklow	Existing Direction – 30 April 2025 Proposed Direction – 30 April 2027	Public Safety

The National Park Authority made a direction under section 25(1) of the Countryside and Rights of Way (CROW) Act 2000 in February 2018 and extended most recently in April 2023, to restrict public access at Silence and Old Grove Mines on the grounds of public safety relating to the instability of the land. The direction expires on or before 30 April 2025.

The PDNPA, as Mineral Planning Authority, has commissioned geotechnical investigations and approved an application to reinstate areas of surface instability at the site. Treatment of the voids commenced in June 2024 and within a further 2 years might have sufficiently progressed for the assessment of opportunities for some continuing public access, with due regard to monitoring and identification and remediation of any continuing instability. Pending this, it is necessary to protect the safety of the public by continuing the closure across the land affected.

Having regard to the instability at the site and nature and character of the land, the PDNPA is satisfied that a restriction of CROW access to the extent identified is necessary on public safety grounds.

The direction is proposed to cease to have effect on 30 April 2027 or, if earlier, the date on which PDNPA, as Mineral Planning Authority, approves completion of the necessary remediation, having regard to the outcome of the geotechnical investigations undertaken by the PDNPA, as the Mineral Planning Authority, and an associated monitoring period. In the event of the instability being more extensive or requiring more extensive remediation or monitoring, the direction shall be further reviewed.

### 3. SUBMITTING COMMENTS ABOUT THE PROPOSED DIRECTION

Reference:	Comments to:
Silence & Old Grove Mines – 2018088745	<a href="mailto:sue.smith@peakdistrict.gov.uk">sue.smith@peakdistrict.gov.uk</a>

If you wish to comment on this direction then please do so before **28 March 2025**.

A map accompanies this notice.

#### Using and sharing your consultation responses

We may wish to pass any comments you make 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 Natural England.

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# CROW Open Access: Consultation on review of restriction

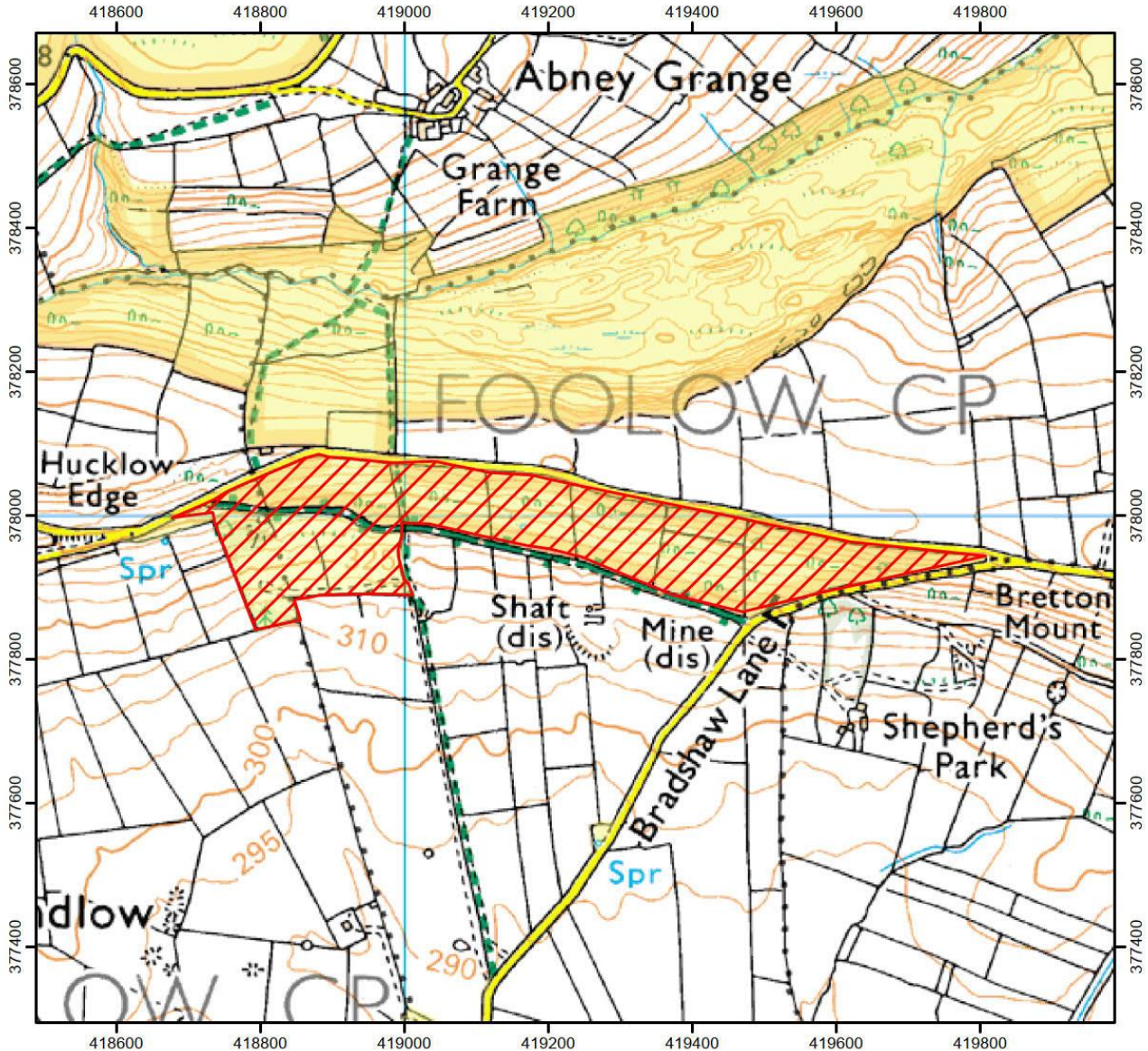
Please see accompanying notice.

This does not affect Public Rights of Way.

Consultation start date: 14 February 2025

Consultation end date: 28 March 2025

Case number: 2018088745



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CROW Consultation



CROW Access Land



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