

Countryside and Rights of Way (CROW) Act 2000

**REVIEW OF STATUTORY DIRECTION(S) – PROPOSED CHANGE TO
EXISTING DIRECTION(S)**

**SUMMARY FOR PUBLIC CONSULTATION
Prepared by Yorkshire Dales National Park Authority**

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Access Authority: Yorkshire Dales National Park Authority
Relevant Authority: Yorkshire Dales National Park Authority
Local Access Forum: Yorkshire Dales Local Access Forum

Original direction reference: 2004120016

Land Parcel Name:	Details of restriction on original direction
Wood End, Hubberholme	Direction to exclude the public from Wood End for a period of five years. The direction was given to prevent accidental disturbance to the local water supply.

The Yorkshire Dales National Park Authority has begun a review of the above long term direction in accordance with statutory guidance. A consultation has been held with statutory consultees and the general public that sought views on the existing direction.

Under Part 1 (Chapter II, Sections 24) of the Countryside and Rights of Way Act 2000, the applicant, applied for a direction, in 2005, to restrict access on open access land at Wood End, Hubberholme. The application requested the exclusion of all CROW access rights due to the possible risks of disruption and contamination of a water supply.

The Relevant Authority (the Yorkshire Dales National Park Authority) put in place a direction for the complete exclusion of CROW rights from the site for five years, from May 2005 to May 2010 inclusive. Due to the topography of the land, the vulnerability of the existing water supply infrastructure, and a predicted increase in access to the site, there was a strong possibility that disruption to the water supply could occur accidentally, causing significant disruption to the local community and businesses.

It was not considered possible to resolve the situation by other means, and therefore a statutory restriction was considered necessary to prevent disruption to the water supply.

This exclusion was reviewed in 2010 and the Authority decided it was necessary to extend the exclusion for a further six year period through to May 2016. This is, therefore, the second review of this exclusion.

The initial consultation on the current direction was held in July and August 2015 and comments were received from the Yorkshire Dales Local Access Forum (YDLAF) and the Ramblers Association.

Summary of consultee comments

The advice of the YDLAF was to revoke the direction due to the private water supply being no longer essential due to recent installation of mains supply to the area.

The advice of the Ramblers Association was to continue with the current direction if no change to the vulnerability of the existing water supply infrastructure has occurred since the last review.

The Authority contacted Yorkshire Water as it was aware that a new water main had been installed between Buckden and Oughtershaw during the period of the current direction. Yorkshire Water confirmed that properties in Hubberholme and Yockenthwaite were given the opportunity to connect to this new mains supply, but that this would have to be at the owners' expense. This offer was not taken up by the applicant covered by this exclusion.

After due consideration, the Yorkshire Dales National Park Authority now proposes to continue the direction to exclude the public from the open access land at Wood End, Hubberholme, for a further six years. There has been no evidence to suggest that there has been a change in the way the CRoW access land is used or managed since the original direction was made.

As the Authority is minded to vary the direction (ie proposing to make another long term direction) it is undertaking a second round of consultation.

2. SUMMARY OF PROPOSED CHANGES TO EXISTING DIRECTIONS:

Details of restriction on original direction:	Proposed details for new direction	Reason for proposed direction
Direction to exclude the public from Wood End for a period of six years. The direction was given to prevent accidental disturbance to the local water supply. 28 May 2010 to 27 May 2016.	Direction to exclude the public from Wood End for a period of six years. The direction is to prevent accidental disturbance to the local water supply. 28 May 2016 to 27 May 2022.	To allow the continuation of the exclusion of the public from Wood End, for land management purposes.

The Authority must still review the direction no later than five years after its anniversary (or from the date of the last review).

3. SUBMITTING COMMENTS ON THE REVIEW:

If you wish to comment on the review of this direction then you must do so before 19 October 2015 directly to Cathy Bradley at cathy.bradley@yorkshiredales.org.uk. A map accompanies this notice and can be seen on the [Consultation Pages](#) of the Government's Website¹.

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

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.

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.