

**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 Natural England**

**1. INFORMATION ABOUT THE PUBLIC CONSULTATION:**

**Access Authority:** East Sussex County Council  
**Relevant Authority:** Natural England  
**Local Access Forum:** East Sussex Local Access Forum

**Original direction reference: 2009030025**

<b>Land Parcel Name:</b>	<b>Details of restriction on original direction</b>
<b>Kingstanding Training Facility</b>	<b>Land excluded for public safety</b>

Natural England has begun a review of the above long term direction in accordance with statutory guidance (see Annex One). A consultation has been held with statutory consultees and the general public that sought views on the existing direction[s].

We received feedback from The Ramblers Association

*Given the use of the site and its location at this stage we have no objections to the continuation of the current direction*

We also received feedback from the local access forum  
Summary of local access forum comments:

*Following your email below, I consulted the East Sussex Local Access Forum at their meeting on the 17<sup>th</sup> September.*

*I can confirm that, following a vote, the Forum supported NE's proposal to continue the restriction of this CROW land.*

After due consideration, Natural England now proposes to **vary the direction** and extend it for a further five years. As we have decided to vary the direction (and are still proposing to make a long term direction) we are obliged to undertake a further 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
Full exclusion for public safety at all times: 7/12/2009 – 30/06/2015	07/12/2014 – 30/06/2020	Public Safety

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

### **i) Summary of proposal**

*To exclude people from the CROW Access land at Kingstanding Training Facility for public safety purposes. (for full extent, please refer to the site map)*

### **ii) Why is a statutory restriction necessary?**

The land continues to be used almost daily (641 training days in the last two years) for police and related law enforcement training, which includes firearms / taser training, riot /demonstration / crowd control training and also police dog training. This takes place on the CROW access land and also adjacent to it (within a smaller compound

Dog handlers also have keys to the site for exercising dogs out of hours, which invariably takes place on the access land, as it they are often unable to do this in public areas such as parks.

In order for public safety to be maintained the to the main areas where these activities take both on and adjacent to CROW Access land, a direction to exclude access to the site is necessary

### **iii) What is lowest level of restriction required?**

*In order to maintain public safety the lowest level of restriction is being used. With the training facility being used daily for dangerous activities and also activities that are sensitive to the police's training requirements public safety can't be guaranteed at any time Therefore a full exclusion is the best way to manage the land.*

### **iv) Additional supporting information**

*As part of the review process I visited the site and saw some of the training being undertaken and also saw some of the issues on the CROW access land and could see why the restriction was necessary. I also received further evidence from the applicant on how many and what training courses had occurred on the site over the last 2 years.*

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

If you wish to comment on the review of this direction then you must do so before 28<sup>th</sup> November directly to Rob Morris.

[Robert.morris@naturalengland.org.uk](mailto:Robert.morris@naturalengland.org.uk)

Natural England  
Spur 6 Block B  
Government Buildings  
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WR5 2LQ

A map accompanies this notice and is attached and can be seen on the [consultation pages](#) on the government's website.

### **Using and sharing your consultation responses**

In line with Natural England's [Access to Information Statement](#), 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).

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 relevant 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, it 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 a direction in any way (type, extent or date), it 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, it 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. 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.