

Countryside and Rights of Way (CROW) Act 2000

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING REVIEW OF DIRECTION RESTRICTING CROW ACCESS

Prepared by Natural England

Access authority: North Yorkshire
Relevant authority: Natural England
Local access forum: North Yorkshire

Direction reference: 2004120083

| Land Parcel Name | Details of restriction on original direction |
|------------------|--|
| Angram | Dogs to be kept on a lead each year from 1st August – 10th December until 10/12/2015 |

Natural England has now decided how to proceed following its review of the above mentioned direction to restrict CROW Access rights on this land. A second consultation was held with statutory consultees and the general public from 6th October to 14th November.

We received feedback from The Ramblers and the Kennel Club.

The Ramblers had no objection to the restriction but asked that suitable warning notices to explain the direction are in use at intersections with public rights of way when they enter and exit the land.

The Kennel Club commented that they were pleased that a discretionary dog exclusion had not been applied by the landowner. They agreed that a continuation of the restriction as proposed is a pragmatic way forward in this case. However, they would like Natural England to note that in principle, they desire restrictions that are flexible and targeted and reflect good practice developed over the last 14 years.

They also commented that the second bullet point in criteria set 18: *'those shooting can be distracted from their sport by the needs for extra vigilance to prevent any risk of accidental injury'* is not relevant in this case as the restriction is for disturbance to quarry. Natural England accepts and notes this.

Outcome of the review:

We are under an obligation to find the least restrictive option that is effective but also balances the impact on landowners managing the restriction. Outline restrictions are useful in many circumstances and were considered. However, in this instance, because of how often shooting occurs on the moor, Natural England feels that managing an outline restriction would be an unreasonable burden on the land

manager and that it is beneficial to the public to have a consistent message regarding dogs on leads.

Natural England's decision is to vary the end date of the restriction with the effect of extending it until 10th December 2020.

The restriction is that dogs must be kept on a lead each year from 1st August to 10th December. This is in addition to the general dogs on lead restriction from 1st March to 31st July.

It is necessary to restrict CROW access rights to this extent to avoid disturbance to live quarry.

Natural England's policy for long term directions is that they should not be given for a period of more than 6 years. Therefore the original direction will be varied to have an end date of 10th December 2020

Summary of changes made to the existing directions:

| Land Parcel Name: | Details of restriction on original direction: | New details of restriction |
|--------------------------|--|---|
| Angram | Dogs to be kept on a lead each year from 1st August – 10th December until 10/12/2015 | Dogs to be kept on a lead from 1 st August to 10 th December each year until 10/12/20 |

Details of the restriction will appear on the relevant map of access land on the Gov.uk website:

https://www.gov.uk/government/publications?keywords=open+access&publication_filter_option=consultations&topics%5B%5D=all&departments%5B%5D=natural-england&official_document_status=all&world_locations%5B%5D=all&from_date=&to_date=&commit=Refresh+results

You should note that the applicant has the right to appeal within six weeks against our decision not to act in accordance with the application originally submitted to us. Only the applicant can appeal against this decision. Details of any appeal will appear on the Planning Inspectorate's website at www.planning-inspectorate.gov.uk/

Where a direction restricts access indefinitely, for more than five years, for part of every year, or for part of at least six consecutive years, we have a statutory duty to review it within five years of the date of its issue.

Date review completed: 27/11/14