

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 Lincolnshire
Relevant authority: Natural England
Local access forum: North Lincolnshire

Direction reference:

Land Parcel Name:	Direction Reference:
Risby Warren Parcel A	2005060237
Risby Warren Parcel B	2005090329
Risby Warren Parcel C	2005090331

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict CROW Access rights on this land. A second consultation has been held between 22nd May and 19th June with statutory consultees and the general public. We received feedback from 2 consultees; the Access Authority and the Ramblers.

The Ramblers supported the continuation of the directions and requested that all signs and notices on the site or at suitable locations near the site clearly state the reason and duration of the restriction and that any public rights of way affected remain open at all times.

The Access Authority also support the restrictions but commented that the line of the public right of way on the maps for Parcels A and C is incorrect as this path has been legally diverted and is outside of the restricted area. They requested that it was made clear that no public rights of way are affected by the restriction.

Outcome of the review:

Natural England's decision is to vary the end date of all 3 directions to allow them to continue.

It is necessary to restrict CROW access to this extent to prevent danger to the public.

Parts of the site overlie areas which have previously been extensively mined for ironstone. The mines and adjoining quarry, although no longer worked, are actively managed by TATA Steel, who carry out safety inspections and manage any surface hazards associated with the mine workings.

Parcel A is located in the north eastern corner of the site and has been identified as high risk according to the criteria outlined in the Relevant Authority Guidance. There are numerous crown holes which have developed since the 1970s as a result of the

collapse of the mine roof below. The size of these crown holes varies from between 2m and 30m across and up to 80m deep. The area has been fenced and warning signs erected by TATA in order to prevent the risk of injury to members of the public.

Parcels B and C are not considered to be high risk at the present time, however, mining experts have predicted that roof falls would result in crown holes developing at some indeterminate point in the future. It was also possible that the mines below this area would become inaccessible for inspection as a result of roof falls, making it impossible to predict where and when crowns holes would develop.

Criteria Set 2 of the Relevant Authority guidance states that any restrictions that prove necessary will normally take the form of complete exclusions, and may need to be long term (though subject to reassessment if circumstances change). It recommends that they are limited so far as is reasonably practicable to the immediate areas(s) of risk.

The existing hazards in parcel A and the risk of further collapse means that a complete exclusion is required.

Parcels B and C do not currently meet the high risk criteria that would warrant exclusion. However, this situation could change at any time. If it was felt that the areas had become high risk an outline restriction of 16 weeks would allow time for an application for a long term restriction to be determined.

We note the comments from the Access Authority regarding the line of the Public Right of Way shown on the site notice. Public Rights of Way are unaffected by CROW restrictions and remain open at all times. Although NE receives updates from the Ordnance Survey the base map currently used by NE to produce its site maps shows the route prior to the diversion. The site notices do include the message that Public Rights of Way are unaffected by the CROW restrictions. Natural England will also recommend that this message is included on any notices produced by the landowner.

We normally give long term directions for a period of 6 years on the basis that the direction will be reviewed within five years of the date of issue. However because the circumstances here are unlikely to change indefinitely we have decided to give these directions for a longer period. Therefore the original direction will be varied to have an end date of 20/06/2036.

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
2005060237 Parcel A	Public Exclusion until 15/10/16	Public Exclusion until 20/06/2036
2005090329 Parcel B	Public exclusion for up to 16 weeks (outline until 15/10/16)	Public Exclusion for up to 16 weeks (outline until 20/06/2036)

2005090331 Parcel C	Public exclusion for up to 16 weeks (outline until 15/10/16)	Public Exclusion for up to 16 weeks (outline until 20/06/2036)
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Details of the restriction will appear on the relevant map of access land on the Open Access website - www.openaccess.naturalengland.org.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: 20/06/15