

Countryside and Rights of Way (CROW) Act 2000

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

Prepared by Yorkshire Dales National Park Authority

Access authority: Yorkshire Dales National Park Authority
Relevant authority: Yorkshire Dales National Park Authority
Local access forum: Yorkshire Dales Local Access Forum

Direction reference: 2004120016

Land Parcel Name	Direction Reference	Details of restriction on original direction
Wood End, Hubberholme	2004120016	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.

The Yorkshire Dales National Park Authority has now decided how to proceed following its review of this direction to restrict CROW access rights on this land.

A consultation was held between 20 July 2015 and 17 August 2015 with statutory consultees and the general public, and feedback was received from the Yorkshire Dales Local Access Forum (YDLAF) and The Ramblers Association.

The second consultation on the proposed new direction was held in September and October 2015 and comments were received from the Yorkshire Dales Local Access Forum (YDLAF) and the Ramblers Association.

In summary the feedback was as follows:

The advice of the YDLAF was to investigate the environmental health situation surrounding the private water supply, with reference to the likelihood of disturbance and the exclusion at Wood End.

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.

Craven District Council Environmental Health Department was consulted on the vulnerability of this private water supply. They confirmed that a spring was now being utilised that makes the supply less vulnerable. The spring site was not considered vulnerable to accidental disturbance, as this is fenced off and is located much higher

up the fellside in unrestricted open access land. The pipe between the spring and water tanks is buried.

A site visit was conducted to further assess the situation. Whilst the spring site is not vulnerable, both pipes further down the hillside in the stream itself were considered vulnerable to accidental disturbance - as they have been when examined in the past. The applicant stated that the spring supply is available around 75% of the time, but that the pipe system still supplies water for the remaining 25% of the year. The water supply provides the drinking water for six properties including some catering for visitors. As one property is a bunk barn this means the supply can need to cater for up to 40 people at any one time.

The applicants state the vulnerability of the pipework has not changed since the original application to restrict access under the Countryside & Rights of Way Act 2000 and they wish the restriction to remain in place.

Outcome of the review

As the relevant authority, the YDNPA has considered the comments made during the consultation period and has decided to continue the direction to exclude the public from the land at Wood End, Hubberholme for a further period of six years. Although there has been a change in the water supply arrangement, the potential for accidental disturbance to the water supply remains. It is not possible to predict when the spring will be used and when there will be reliance on the pipework system, and so other alternative management methods are not considered appropriate.

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 29 November 2021.

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Wood End, Hubberholme	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.	To allow the continuation of the 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. 30 Nov 2015 to 29 Nov 2021.

A copy of the direction is enclosed for your information. Details of the restriction will appear on the relevant map of access land on the Open Access website - www.openaccess.naturalengland.org.uk.

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.planningportal.gov.uk/planning/countryside/countryside.

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: 30 November 2015