



THE CUMBRIA COUNTRYSIDE ACCESS PARTNERSHIP BOARD

{the partnership between Cumbria County Council and the Cumbria Local Access Forum}

Relevant Authority Guidance Review Consultation Response

Overview

1: Natural England has been reviewing its statutory guidance to relevant authorities that administer restrictions on open access rights in England, building on their experience of administering restrictions since March 2004. In autumn 2005 Natural England invited a range of organisations with an interest in open access rights to suggest what aspects of the restrictions guidance should be reviewed. As far as possible the proposals outlined in this consultation reflect those responses received by Natural England (it should be noted however that some proposals are still in development and these will be consulted in early 2007). Before recommending amendments to the Secretary of State Natural England are giving interested parties a chance to comment.

2: In Cumbria three guiding principles have been adopted:-

We are in favour of access as far as it is legally provided for and practicably sensible to provide it:

We believe that access should be available (within the bounds of reasonableness) to all existing and potential future users; and

We believe that access should be exercised in an informed and responsible manner.

3: These guidelines, which incorporate a principled approach to access, have guided the LAF, the County Council, and the Partnership Board, in all their subsequent work. It has to be noted that Cumbria County Council is not the relevant authority in almost all the cases illustrated but this consultation will shape the future for CROW relevant authorities.

Specific document comments

4: In the “evidence” section (1) and subsequently - no mention is made of using appropriate and accurate mapping with standard grid references. The point should be made here that all paperwork must be properly OS map based and use standard grid references.

5: The “least restrictive” principle is mentioned only in the ‘deferred list’ under heading 26. We feel this should be a key headline in all relevant guidance.

28/01/2008

6: The “long term restrictions” heading (20) does still not recognise the key outstanding question concerning aggregation of restrictions.

7: Mention must be made that to ensure effective consultation Local Access Forums must be consulted more widely and with greater frequency.

8: There needs to be a more detailed examination of procedures relating to access under other enactments including S15 rights.

The Cumbria Countryside Access Partnership hopes that these observations are fully considered during the review of the relevant authority guidance and would welcome further correspondence should it be required.

Yours sincerely

Duncan Graham
Chairman of the Cumbria Local Access Forum on behalf of the Cumbria Countryside
Access Board Partnership

Dated: 19/01/2007