

Peak District Local Access Forum

Date: 14 March 2019

Item: 6

Title: Consultation on Direction on Access Land

Author: Sue Smith

Purpose of the Report

The purpose of the report is to notify the Local Access Forum on the consultation for a long-term direction for an open access land exclusion at Silence and Old Grove Mines. The report asks the Forum to consider any response they may wish to make.

Background

In accordance with the Countryside and Rights of Way (CROW) Act 2000, the National Park Authority is consulting on a proposal for a long-term direction to restrict access rights.

The National Park Authority, as the Relevant Authority, is required to consider whether a restriction is necessary and whether the extent and nature is appropriate and is seeking feedback from the Local Access Forum and other consultees as part of this process.

Silence and Old Grove Mines, Great Hucklow

In February 2018, the Authority made a direction on public safety grounds restricting access to open access land at Silence and Old Grove Mines save for the path leading to the building remains, whilst further investigations and works are carried out.

In June 2018, this was extended following consultation, until 30 April 2019 or such earlier time when the issues have been satisfactorily resolved. The Local Access Forum response is set out in the consultation outcome report attached at Appendix 1.

In August 2018, following evidence of further instability, the Authority made a direction to remove public access to the building remains to protect the public pending a further public consultation. The Local Access Forum response to the subsequent public consultation is set out in the consultation outcome report attached at Appendix 1.

In November 2018, evidence of further subsidence resulted in an extension and variation of the direction to continue to restrict all public access to the site and to include areas of access land to the north and east of the site. This was reported to the LAF's meeting in December, at which the LAF confirmed their support to restrict public access to the access land and public rights of way in that area.

An independent geotechnical assessment has since been sought to assess the future stability of the site and to draw up a scheme for remediation. It is proposed to extend the duration of the direction to 30 April 2020, or such earlier time when the issues have been satisfactorily resolved. The consultation is attached at Appendix 2.

Recommendation

- 1. That the LAF consider their response to the consultation at Silence and Old Grove Mines, Great Hucklow**

Appendix 1

Tel: 01629 816200

E-mail: customer.service@peakdistrict-npa.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House . Baslow Road . Bakewell . Derbyshire . DE45 1AE



**PEAK
DISTRICT
NATIONAL
PARK**

CONSULTATION OUTCOME REPORT

COUNTRYSIDE AND RIGHTS OF WAY (CROW) Act 2000

PROPOSAL FOR A LONG-TERM DIRECTION RESTRICTING ACCESS

NOVEMBER 2018

Land Parcel Name:	Direction Ref.
Silence & Old Grove Mines, Great Hucklow	2018088745

1) Introduction

The Peak District National Park Authority (PDNPA) has completed its consultation on the proposal for a long-term direction to restrict CROW access on this land.

A consultation comment on the proposal was received from the Peak District Local Access Forum (PDLAF). The PDLAF considered the proposal at their Forum meeting on 20 September 2018 and supported the approach to vary and extend the direction on public safety grounds to 30th April, 2019, or such earlier time when the issues may have been satisfactorily resolved.

2) Outcome

The PDNPA is satisfied that the restriction of CROW access to the extent identified is necessary on public safety grounds having regard to the occurrences of instability, the presence of a potential contributory factor and the nature and character of the land.

The PDNPA considers that the additional and unresolved instability from that originally apparent requires more comprehensive investigations, more detailed evaluation, and more extensive remediation measures. The full extent of the unstable ground is also uncertain because of the loss of adjoining support and other contributory factors and may not be readily apparent because of the nature and character of the land.

A direction, for the duration specified, will safeguard the public whilst allowing for the assessment of the effect and causes of the recent collapse and for the rectification of instability at this site.

This direction shall cease to have effect on or before 30 April 2019 if the remediation has been undertaken to the satisfaction of the PDNPA as Mineral Planning Authority. In the event of the instability being more extensive or requiring more extensive remediation, the direction shall be further reviewed.

3) Summary of Restriction

Land Parcel Name:	Dates of Restriction	Reason for Exclusion
Silence & Old Grove Mines, Great Hucklow	30 April 2019	Public Safety

Appendix 2

Tel: 01629 816200

E-mail: customer.service@peakdistrict-npa.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House . Baslow Road . Bakewell . Derbyshire . DE45 1AE



**PEAK
DISTRICT**
NATIONAL
PARK

SUMMARY FOR PUBLIC CONSULTATION

COUNTRYSIDE AND RIGHTS OF WAY (CROW) Act 2000

PROPOSAL FOR A LONG-TERM DIRECTION RESTRICTING ACCESS

MARCH 2019

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Access Authority: Peak District National Park Authority
Relevant Authority: Peak District National Park Authority
Local Access Forum: Peak District Local Access Forum

Land Parcel Name:	Direction Ref.
Silence & Old Grove Mines, Great Hucklow	2018088745

The Peak District National Park Authority (PDNPA) as Relevant Authority is proposing to vary and extend the area and duration of the above direction until 30 April 2020 or until submission of an independent geotechnical report and completion of the remediation specified therein to the satisfaction of the PDNPA as the Mineral Planning Authority, whichever is the sooner.

As the restriction of public access on this land is proposed to last for longer than six months continuously, public consultation is required to inform the proposal.

2. SUMMARY OF EXISTING & PROPOSED DIRECTION

Land Parcel Name:	Dates of Restriction	Reason for Exclusion
Silence & Old Grove Mines, Great Hucklow	Existing Direction – 30 April 2019 Proposed Direction – 30 April 2020	Public Safety

The National Park Authority made a direction under section 25(1) of the Countryside and Rights of Way (CROW) Act 2000 in February 2018, which was extended in April 2018, June 2018, August 2018 and November 2018 to restrict public access at Silence and Old Grove Mines. The direction expires on or before 30 April 2019.

The directions relate to a closure of open access land on the grounds of public safety. It is the view of PDNPA as the Mineral Planning Authority that the stability of the land may have been affected as a result of the underground working taking place and as evidenced by mine shaft collapses and surface fissures.

The land comprises the former lead mine workings known as Silence and Old Grove Mines; an area used as a paddock, and the hillside to the east of the former lead mine workings and south of the Bretton Edge road. The nature of the land is remote, steeply sloping and undulating, with areas of rough grassland, woodland and scrub. A short surfaced path and steps leads from the road entrance

to the building remains and interpretation panels at the former lead mining site. Otherwise, access is relatively informal with some areas showing more use than others and the land being used to connect with nearby public rights of way and the road which are now closed due to the instability. There are no formal access points to the access land other than those to access the former lead mining site.

During 2018, the surface evidence of instability has been to an increasingly greater extent. The complexity of the situation has resulted in specialist and independent geotechnical investigations being sought. Pending the completion of these investigations into the extent and likelihood of future instability at this site and the measures required to mitigate for this, it is necessary to protect the safety of the public by a temporary closure of the land affected and potentially affected as the instability may be more significant than apparent due to the nature of the land and the loss of underlying and adjoin support and other contributory factors.

Having regard to the occurrences of instability, the presence of a potential contributory factor and the nature and character of the land, PDNPA is satisfied that a restriction of CRoW access to the extent identified is necessary on public safety grounds.

The direction for the duration and extent specified will safeguard the public whilst allowing for the assessment of the effect and causes of the areas of collapse and for the rectification of instability.

This direction shall cease to have effect on 30 April 2020 or, if earlier, the date on which PDNPA as Mineral Planning Authority approves completion of the necessary remediation as specified in the geotechnical report submitted to PDNPA. In the event of the instability being more extensive or requiring more extensive remediation, the direction shall be further reviewed.

3. SUBMITTING COMMENTS ABOUT THE PROPOSED DIRECTION

Reference:	Comments to:
Silence & Old Grove Mines – 2018088745	sue.smith@peakdistrict.gov.uk

If you wish to comment on this direction then please do so before **5 April 2019**. A map accompanies this notice and is attached and can be seen on the [Consultation Pages](#).

Using and sharing your consultation responses

We may wish to pass any comments you make 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 Natural England.

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.



CROW Open Access: Consultation on restriction

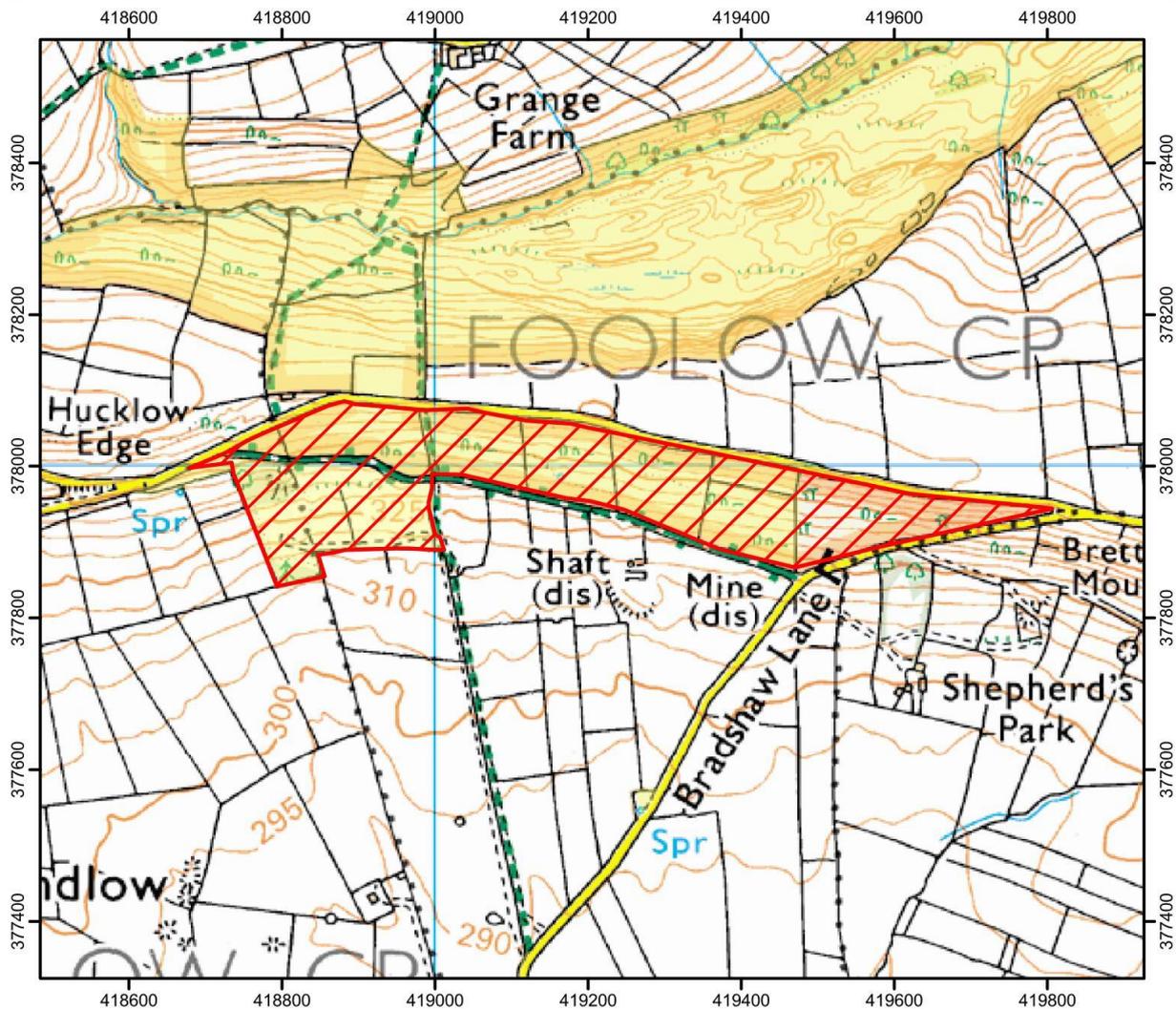
Please see accompanying notice.

(This does not affect Public Rights of Way)

Consultation start date: 18 March 2019

Consultation end date: 05 April 2019

Case Number: 2018088745



0 250 500 M

© Crown Copyright and database right 2019.
All rights reserved. Ordnance Survey Licence number 100022021



CROW Consultation



CROW Access Land



For more information call the Open Access Contact Centre on 0300 060 2091
or visit our website at www.gov.uk/right-of-way-open-access-land/use-your-right-to-room