

# Peak District Local Access Forum

**Date:** 11 March 2021

**Item:** 7

**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.

In April 2019 and April 2020 this was extended by further 12 month periods to allow for an independent geotechnical assessment to assess the future stability of the site and the remediation as a result of that.

The National Park Authority, as Mineral Planning Authority, is considering the advice received in the report, including for the remediation of the land. It is proposed to extend the duration of the direction to 30 April 2022, or such earlier time when the issues have been satisfactorily resolved. The consultation is attached at Appendix 1.

**Recommendation**

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

## Appendix 1

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# SUMMARY FOR PUBLIC CONSULTATION

## COUNTRYSIDE AND RIGHTS OF WAY (CROW) Act 2000

### PROPOSAL FOR A LONG-TERM DIRECTION RESTRICTING ACCESS

#### MARCH 2021

#### 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,<br>Great Hucklow | 2018088745     |

The Peak District National Park Authority (PDNPA) as Relevant Authority is proposing to extend the duration of the above direction until 30 April 2022 or until the completion of remediation in connection with geotechnical investigations, 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,<br>Great Hucklow | Existing Direction –<br>30 April 2021<br>Proposed Direction –<br>30 April 2022 | 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 and extended most recently in April 2020, to restrict public access at Silence and Old Grove Mines on the grounds of public safety relating to the instability of the land. The direction expires on or before 30 April 2021.

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 land is remote, steeply sloping and undulating, with areas of rough grassland, woodland and scrub. A short surfaced path 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 closed public rights of way and the road.

The PDNPA, as Mineral Planning Authority, have commissioned geotechnical investigations into the instability at this site and are considering the conclusions and recommendations of the report received. This includes the approval and implementation of reinstatement works. Pending this, it is necessary to protect the safety of the public by extending the temporary closure of the land.

Having regard to the continuing evidence of instability, potential contributory factors, 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. Having regard to present circumstances, it is considered that an extension of up to one year would be an appropriate period of time for identification and rectification of instability.

This direction shall cease to have effect on 30 April 2022 or, if earlier, the date on which PDNPA as Mineral Planning Authority approves completion of the necessary remediation having regard to the outcome of the geotechnical investigations undertaken by the PDNPA as the Mineral Planning Authority. 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 –<br>2018088745 | <a href="mailto:sue.smith@peakdistrict.gov.uk">sue.smith@peakdistrict.gov.uk</a> |

If you wish to comment on this direction then please do so before **9 April 2021**. 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

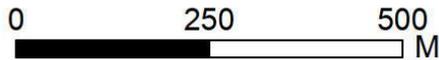
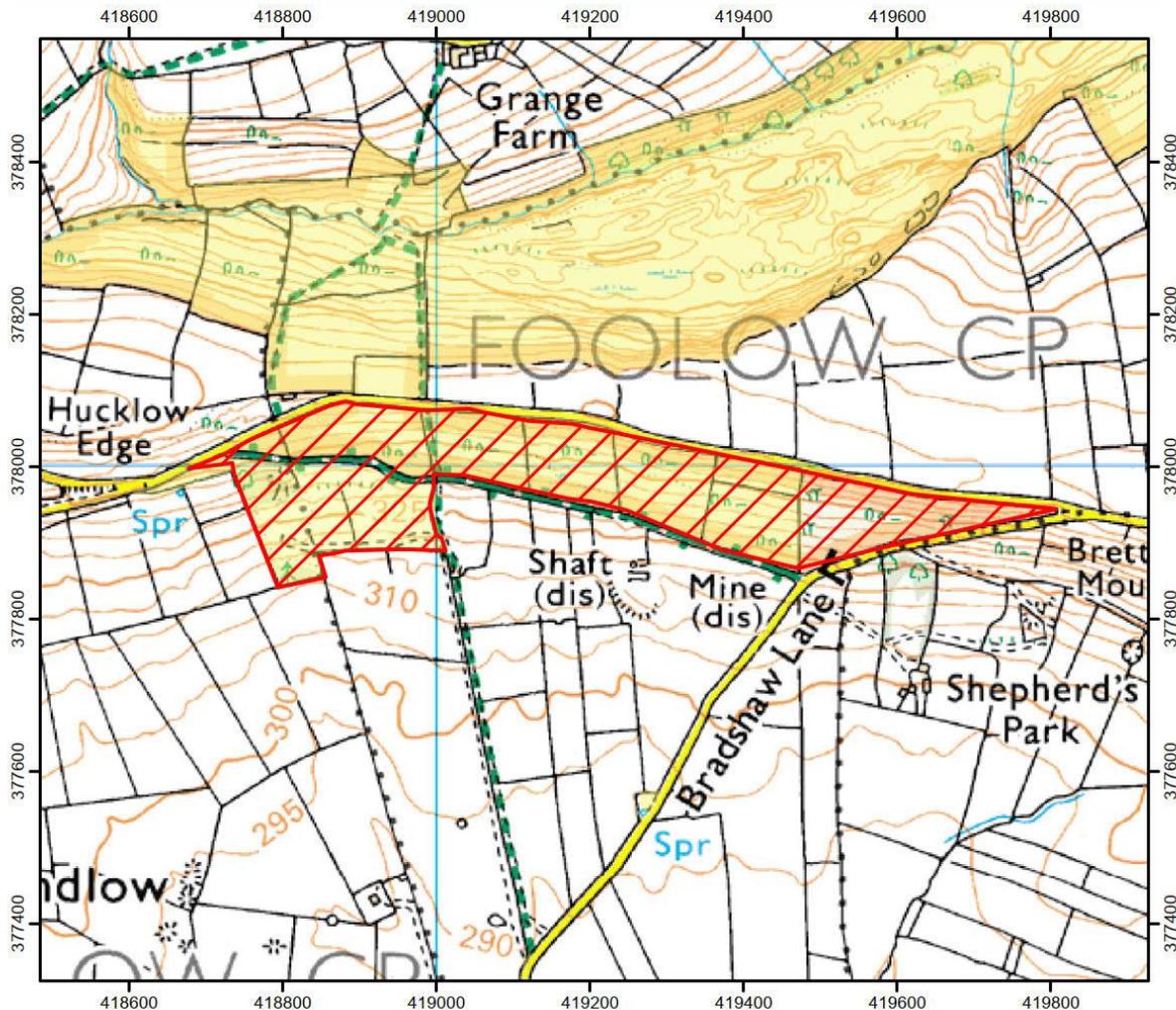
Please see accompanying notice.

This does not affect Public Rights of Way.

Consultation start date: 11 March 2021

Consultation end date: 09 April 2021

Case Number: 2018088745



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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-roam](http://www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam)