

Introducing new access rights under the Countryside & Rights of Way Act 2000

People's rights of access in the countryside of England and Wales are changing. The Countryside and Rights of Way (CROW) Act 2000 will normally allow the public to walk freely on open country and registered common land shown on new official maps. Landowners and long-term tenants will be able to dedicate other land for public access if they wish to. The land where the new rights will apply is called 'access land'.

The Government plans to introduce the new access rights on a regional basis in England, starting with the south east and lower north west during late summer 2004.

This pack of information has been developed by the Countryside Agency and its partners, for people who own or manage access land in England, or who advise those who do. It provides advice on how to manage public access, including the use of legal powers to restrict the new access rights where necessary. If, after reading this information, you would like further details on any aspect of the access rights, please visit our website or contact the open access helpline:

www.countryside.gov.uk/widerwelcome/open_access

0845 100 3298

If your land is in Wales, you should contact the Countryside Council for Wales, who can explain how the access rights will operate in Wales. You should contact Scottish Natural Heritage for guidance on public access law in Scotland.

What land will be affected?

The Countryside Agency is preparing maps of open country – mountain, moor, heath and down - and registered common land in England. You can view these maps on our website. The new access rights will apply on most of this land and on land that has been dedicated for access. But there will be important exceptions, for example:

- buildings and livestock pens;
- land ploughed or drilled during the previous 12 months to grow crops or trees;
- quarries and other active mineral workings;
- land used as a golf course or race course;
- land where military byelaws apply.

What will people be allowed to do?

There will normally be a right of access on foot for open air recreation – this includes walking, bird watching, picnicking, running and climbing. This will include the right to walk dogs on access land - but between 1st March and 31st July, or at any time in the vicinity of livestock, the right requires dogs to be on a fixed lead of no more than two meters. There are national restrictions which apply to the new access rights at all times - for example the CROW Act does not include any rights to:

- ride a horse or bicycle, or drive a vehicle;

- take part in organised games or commercial activities;
- bathe in lakes or non-tidal rivers, or use boats;
- hunt, fish or collect anything from the area including rocks or plants;
- camp or light fires.

Where these national restrictions to access under the CROW Act are not sufficient, there are statutory powers to restrict access rights locally. This pack contains a booklet explaining these powers.

It is important to remember that the national restrictions and local restriction powers only apply to CROW access rights. They will not affect what people already do:

- by local tradition or tolerance;
- with your express permission;
- on public rights of way such as footpaths and bridleways; or
- under any other existing rights that apply locally.

Managing the access rights

If you own or manage access land, you may want to consider how the new rights will affect you or your interests on the land. The guidance in this pack will help you decide if you need to make any special arrangements, and where to find help if you do.

Your 'access authority' (the national park or highway authority) has special powers to help you manage the new access rights. For example, it can provide entry points to access land, erect notices explaining what people can do there, and appoint wardens - both to explain the access rights to the public and to enforce any rules and restrictions. Our helpline has full details of these authorities if you are unsure about the one that applies for your area.