

> Home > Our work > Access: our legal role > Open Access land

Visiting Open Access - Your rights and responsibilities

Under the Countryside and Rights of Way Act 2000 (CROW), the public can walk freely on mapped areas of mountain, moor, heath, downland and registered common land without having to stick to paths.

The new right under the Countryside and Rights of Way Act 2000 (CROW) covers most recreational activities carried out on foot, including walking, sightseeing, bird watching, climbing and running, but there are some common sense restrictions in place which limit where people can walk or take a dog.

The new right of open access does not include camping, cycling, horse riding or driving a vehicle (except mobility scooters and buggies), but where these activities already take place they are unaffected. Access land open underCROW is for walkers but does not prevent people carrying out other activities with the landowner's consent or where permitted by law.

Knowing where to go

Land to which the new right of access applies is land that has been mapped under CROW as mountain, moor, heath, down and registered common land. Find out where CROW access land is on the <u>CROW access</u> maps

Landowners may dedicate other areas of land for permanent open access; for example, the Forestry Commission have dedicated over 180,000 hectares (700 square miles). However, even within these mapped or dedicated areas, certain places are excluded. Some areas are out of bounds such as gardens, parks and arable land.

Closures and restrictions

Farmers and landowners have the discretion to suspend or restrict the new access right for up to 28 days each year, for any reason. They may also apply for additional restrictions or closures, where necessary for land management, safety or fire prevention reasons. Whenever possible, restrictions and closures will be shown on CROW access maps and will be reinforced by local signs.

Visitors are advised to check on the website that an access area is open before setting out for a walk.

Maps and information

For the most up-to-date information and maps showing where you can go on access land, including details of any local restrictions and closures, look at the CROW access maps.

The new OS Explorer Maps which carry the access symbol are now available in bookshops and outdoor stores. All types of access land are shown on these maps with a light yellow tint surrounded by a light orange border. You can also order OS Explorer Maps by phoning 0845 456 0420 (+ 44 845 456 0420 outside the UK). Calls are charged at local rate in the UK.

Walkers are advised to look out for local signs indicating any closures or restrictions. In addition, the new access symbol may be displayed to help guide you at some entry and exit points.



Responsible access

Freedom to walk on access land comes with responsibilities, which are outlined in the Countryside Code:

- Respect other people
 - Consider the local community and other people enjoying the outdoors
 - Leave gates and property as you find them and follow paths unless wider access is available
- Protect the natural environment
 - Leave no trace of your visit and take your litter home
 - Keep dogs under effective control
- Enjoy the outdoors
 - Plan ahead and be prepared
 - Follow advice and local signs

Just for dog owners

The new right requires you to keep your dog on a lead of no more than 2m long between 1st March and 31st July (the main breeding period for ground-nesting birds) or at any time of year when you are near livestock. Leads are specified as even the best trained dog may occasionally become unresponsive.

Specific local restrictions may also be in place, such as excluding dogs from grouse moors. Please check the CROW access maps and restrictions information and look out for local signs.

Dog restrictions and exclusions do not affect the right of a person reliant on a guide or hearing dog to enjoy the new right of access but these dogs must also be kept under close control.

None of this affects existing rights for dog walkers, but do remember that a dog attacking or threatening livestock may lawfully be shot.

What the right doesn't include

There is no new entitlement to ride a horse, a bicycle or use any other mechanical transport; to camp, hangglide or paraglide, use a metal detector, take part in organised games or commercial activities, swim, use boats or windsurfers in nontidal rivers or lakes; or remove anything from the area – including stones, fallen wood or plants. However, existing rights such as riding a horse on a public bridleway are not affected. See 'Responsible access'

Excepted land

This is land on which the right of access is NOT available at any time, even if it appears on maps of access land. It is generally obvious on the ground and includes:

- Buildings and the land attached to them (eg. courtyards).
- Land within 20 metres of a house, or a building containing livestock.
- Parks and gardens.
- Land beneath structures such as electricity substations, wind turbines or telephone masts (though this does not prevent use of access land around them).
- · Quarries and other active mineral workings.
- Railways and tramways.
- Golf courses and race courses.
- Aerodromes.
- Land being developed in one of the ways above.
- Arable land ploughed for the growing of crops within the past year.
- Temporary livestock pens.
- Racehorse training gallops between dawn and midday on any day and at any other time when it is in use for that purpose.
- Land under Military Byelaws (eg. Ministry of Defence training areas).

Where 'excepted land' is served by public rights of way (eg. Footpaths or bridleways) or other legal access rights, access by those means is still allowed.

What about Wales and Scotland?

Countryside Council for Wales is responsible for access mapping and implementing the CROW Act in Wales. The new right was introduced in May 2005. See www.ccw.gov.uk

In Scotland, Part 1 of the Land Reform (Scotland) Act 2003 came into force in February 2005. This established a statutory right of responsible access over most areas of land and inland water. See www.outdooraccess-scotland.com

Useful Links

National Trails are long distance routes for walking, cycling and horse riding through the finest landscapes in England and Wales.

<u>Local Access Forums</u> advise decision making organisations like the Local Authority about making improvements to the provision of access, rights of way and green spaces in their local area.

<u>Best of Both Worlds</u> demonstrates opportunities for outdoor sports and recreation whilst enhancing the enjoyment, appreciation and protection of the sensitive environments in which they take place.

You can find out more about your CROW Access rights in these <u>Frequently Asked Questions: (50kb)</u>