



The Moorland Association

Wildfire risk and temporary restrictions on CROW access land

Guidance for Moorland Association members in England

Periods of prolonged dry, hot or windy weather can create an exceptional risk of wildfire on moorland. Where land is subject to the public right of access under the Countryside and Rights of Way Act 2000 (CROW Act) landowners and managers should consider whether a temporary restriction of that access is necessary. This note explains the action members should take in England. Different arrangements apply in Wales, where Natural Resources Wales is the relevant body.

What to do now

1. Check that the affected land is CROW access land. This can be done [online here](#)
2. Identify the relevant authority: Natural England for most land outside a National Park; the appropriate National Park Authority inside a National Park; or the Forestry Commission for section 16 dedicated woodland.
3. Email the authority with a map, photographs and details of current conditions.
4. Telephone immediately afterwards and ask for urgent consideration under Section 25.
5. Ask whether an existing fire-prevention direction already covers the land and can be activated.
6. Copy the Moorland Association at info@moorlandassociation.org

Check that this guidance applies

This guidance applies to land over which the public has access rights under the CROW Act. This can be [checked online](#)

A section 25 restriction may apply to the surrounding CROW access land, but it will not close any public footpath, bridleway or other highway crossing that land. Separate action by the highway authority would be required. Section 25 restrictions also do not apply to “section 15 land”, where public access rights pre-date the CROW Act. Annex B explains how to identify this land. If the status remains uncertain, ask the relevant authority to confirm it before relying on section 25.

1. Who can close access?

The principal power to restrict CROW access because of exceptional fire risk is contained in Section 25 of the CROW Act. A Section 25 fire-prevention restriction can only be imposed by the statutory relevant authority. These are:

1. **Natural England** for most CROW access land in England
2. **National Park Authority** where the land is within a National Park
3. **Forestry Commission** where the woodland is dedicated for public access under the CROW Act. See Annex A for instructions on checking whether woodland is section 16 dedicated land.

The authority may impose a restriction following an application from someone with a legal interest in the land, or may also act on its own initiative during exceptional fire-risk conditions.

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2. Who may approach the relevant authority?

An application or request may be made by someone who holds a legal interest in the affected land, including:

- the owner
- an agricultural or other tenant
- a person holding rights over registered common land
- an individual or organisation holding sporting or other property rights under an agreement or licence

Where different parties hold the ownership, tenancy and sporting rights, they should coordinate the request where possible and make clear which legal interests each party holds.

3. When should members act?

Members should contact the relevant authority where local conditions indicate that there is a serious and exceptional risk of an accidental fire starting or spreading. Relevant factors may include:

- prolonged dry conditions
- high temperatures or strong winds
- exceptionally dry vegetation, peat or surface fuels
- recent fires in the area
- warnings from the fire and rescue service
- pressure on local firefighting resources
- exceptionally high visitor numbers
- previous ignition points or areas with a history of wildfire
- the current Met Office Fire Severity Index

The Fire Severity Index is used to identify exceptional fire conditions. Some particularly vulnerable areas already have directions prepared that can be activated when the relevant threshold is reached.

The relevant authority must decide whether exceptional conditions exist and whether a restriction is necessary. Where a pre-prepared or outline fire direction already exists, members should ask whether it can be activated immediately.

4. How to contact Natural England

For CROW land outside a National Park and outside dedicated woodland, contact Natural England's Open Access Contact Centre:

Email: open.access@naturalengland.org.uk

Telephone: 0300 060 2091

Where the risk is urgent, members should:

1. send the information by email
2. telephone the Open Access Contact Centre immediately afterwards
3. ask for the matter to be treated as urgent

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4. request an acknowledgement and case reference, and
5. copy the Moorland Association into the correspondence info@moorlandassociation.org so that any recurring delays or difficulties can be raised collectively.

5. Contacting a National Park

Where the affected land is within a National Park, the National Park Authority is the statutory relevant authority responsible for deciding whether to impose a CROW restriction.

In an urgent wildfire situation, members should:

1. email the appropriate National Park Authority using the details at Annex D.
2. state clearly that the request is for urgent consideration by its CROW/Open Access or Access Team
3. telephone the National Park Authority immediately after sending the email, and
4. request an acknowledgement, case reference and the name of the officer dealing with the matter.

The request should ask:

- whether the land is already covered by a pre-prepared fire-prevention direction capable of activation, and
- if not, whether it will urgently exercise its power under section 25 of the CROW Act, either following the member's application or on its own initiative.

Land crossing a National Park boundary

Where an estate or moor crosses a National Park boundary, different relevant authorities may be responsible for different parts of the land.

Members should therefore send the request to:

- the appropriate National Park Authority for land within the National Park, and
- Natural England for CROW land outside the National Park.

The application should include a map clearly showing the National Park boundary and the different parcels of land for which restrictions are sought.

Dedicated woodland

The Forestry Commission is the relevant authority for woodland dedicated as open-access land. This can be checked online, see Annex A. How to contact them is at Annex C. Members who are uncertain whether woodland is dedicated should contact the National Park Authority or Natural England's Open Access Contact Centre and ask them to confirm the correct authority before submitting the request.

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6. Information to provide

The initial email should include:

- the name of the estate, common or moor
- the applicant's contact details and legal interest
- a map showing the affected CROW land. This can be found [online here](#)
- grid references
- the area and period for which the restriction is requested
- the principal access points, and
- a mobile number for the local contact

Where available, also attach

- photographs of current ground conditions
- the current Fire Severity Index. This is [online here](#)
- details of nearby fires
- fire and rescue service warnings or advice
- information about wind and visitor pressure, and
- details of public rights of way crossing the land.

Members should not delay making an urgent initial approach because every item of supporting information is not yet available. Send the essential details first and provide further evidence as soon as possible.

7. Suggested wording

Members may use the following wording in their initial email:

Subject: Urgent request for CROW Section 25 fire-prevention restriction – [name of moor]

I am writing as the [owner/tenant/holder of sporting or other property rights] of [name of land] to request urgent consideration of a fire-prevention restriction under Section 25(1)(a) of the Countryside and Rights of Way Act 2000.

Current weather and ground conditions are exceptional and there is a serious risk of an accidental ignition developing into a significant wildfire. The relevant factors are [describe dry vegetation and peat, wind, recent incidents, visitor pressure, fire-service advice and the current Fire Severity Index].

I request a restriction covering the area shown on the attached map from [date/time] for approximately [period], subject to review as conditions change.

Please confirm urgently:

- whether this land is already covered by a fire-prevention direction capable of immediate activation;
- if not, whether the authority will now make a direction under section 25;
- whether any further information is required; and
- what arrangements will be made for notices and public communication.

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Please acknowledge receipt, provide a case reference and give me the direct contact details of the officer handling this request.

Please copy the Moorland Association at info@moorlandassociation.org and tell us whether the restriction was granted, activated or refused. This will help the Association identify delays, inconsistencies and areas where collective representations may be needed.

8. Public rights of way are not automatically closed

A restriction under the CROW Act suspends or limits the statutory right to roam over the affected access land. It does not automatically close:

- public footpaths
- bridleways
- restricted byways, or
- other public highways crossing the land.

These are separate legal rights. Any restriction of a public right of way must be considered by the relevant local highway authority, usually the county or unitary council. Members should therefore identify any public rights of way crossing the proposed closure area and contact the highway authority separately where those routes present a material wildfire risk.

9. The separate 28-day landowner restriction

The CROW Act also provides a separate ability to restrict access for up to 28 days in each calendar year without making a formal application. However, this power is subject to important limitations. It cannot normally be used on:

- bank holidays, Christmas Day or Good Friday
- Saturdays between 1 June and 11 August
- Sundays between 1 June and 30 September, or
- more than four weekend days during the calendar year.

On tenanted land, the 28-day allowance generally belongs to the farm tenant rather than the landowner. Members should therefore not rely on the 28-day provision as the sole response to an extended period of exceptional summer fire risk. Members must notify the Open Access Contact Centre when using a 28-day restriction.

10. Signs and communication with the public

Once a lawful restriction has been confirmed, it will be published on the official online open-access map. The relevant authority should confirm what notices are required and who is responsible for displaying them.

Note: This guidance provides general information only. Members should seek specific legal advice where there is uncertainty about land ownership, tenancies, common rights, sporting rights or other access rights.

Andrew Gilruth
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Annex A: Section 16 dedicated woodland. This can be found on the [Forestry Commission map](#)

1. Under Map Layers – click on the word “Constraints”
2. Scroll down and tick the box “Crow SI6 Dedicated Land”
3. Section 16 woodland is shown with a purple outline infilled with purple dots.

Section 16 dedicated land is not separately identified on the standard Defra MAGIC Map. Members should use the Forestry Commission Map Browser as explained above. If the mapping is unclear, ask the Forestry Commission to confirm the land’s status.

Annex B: Section 15 Land. This can be found on [Defra’s MAGIC Map](#)

1. Click “Get started”
2. Open “Map Layers” (icon in the top left corner, looks like a pile of books)
3. Expand “Access” (the top option, click on the chevron to the left of the word Access)
4. Select “Countryside and Rights of Way Act, Section 15 Land (England)” (tick the box)
5. Search by postcode, place name or grid reference and zoom to the relevant parcel of land (Section 15 land is shown in hatched out purple).

MAGIC is the best online starting point, but it should not necessarily be treated as conclusive proof of the precise legal basis of access. Section 15 status can arise from historic legislation, schemes, agreements or deeds. Where the mapping is unclear (or where a closure is urgently needed) the member should ask the relevant authority to confirm whether the particular parcel is section 15 land before relying on CROW restriction powers. Section 25 CROW restrictions cannot be used where the public’s access rights arise under section 15.

Annex C: Contacting the Forestry Commission

The Forestry Commission is the relevant authority for woodland dedicated for public access under section 16 of the CROW Act. Annex A explains how to check whether land is shown as section 16 dedicated woodland.

Send an urgent request to: Forestry Commission Woodland Access Team

Email: woodlandaccess@forestrycommission.gov.uk

The email should be headed:

Urgent: request for CROW section 25 fire-prevention restriction – [name of woodland]

Copy the relevant Forestry Commission area office:

- Yorkshire and North East: yne@forestrycommission.gov.uk 0300 067 4900
- North West and West Midlands: nwwm@forestrycommission.gov.uk 0300 067 4029
- East and East Midlands: eandem@forestrycommission.gov.uk 0300 067 4574

Telephone the area office immediately after sending the email and ask for it to be referred urgently to the officer responsible for the Forestry Commission’s CROW relevant-authority functions.

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Ask:

- whether the woodland is confirmed as section 16 dedicated land
- whether an existing fire-prevention direction covers it and can be activated immediately
- if not, whether the Forestry Commission will urgently make a direction under section 25, and
- what further evidence or notices are required

Where responsibility remains uncertain, copy Natural England's Open Access Contact Centre at open.access@naturalengland.org.uk.

Annex D: National Park Authority Contact Details

Peak District National Park

Email: customer.service@peakdistrict.gov.uk

Telephone: 01629 816200

Ask for the email to be referred immediately to the Access Team dealing with CROW restrictions.

The Peak District National Park Authority has existing fire-prevention directions linked to the Fire Severity Index. Members should ask whether their land is covered and whether the relevant direction has been activated. Where an existing Peak District fire-prevention direction covers the land, the immediate request should be for activation of that direction, rather than for an entirely new restriction.

North York Moors National Park

Email: general@northyorkmoors.org.uk

Telephone: 01439 772700

Ask for the email to be referred immediately to the officer responsible for the Authority's CROW/Open Access relevant-authority functions.

Yorkshire Dales National Park

Email: info@yorkshiredales.org.uk

Telephone: 0300 456 0030

Ask for the email to be referred immediately to the Authority's Access and Recreation Team or the officer responsible for CROW restrictions.

The Yorkshire Dales National Park Authority also states that certain fire-risk closures are automatically activated when the Fire Severity Index reaches "Exceptional". Members should nevertheless contact the Authority where local conditions are serious, to confirm whether their particular land parcel is covered and whether a restriction has been activated.

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Northumberland National Park

Email: enquiries@nnpa.org.uk

Telephone: 01434 605555

Ask for the request to be referred immediately to the Authority's Access and Recreation Officer or the officer responsible for its CROW relevant-authority functions.

Members should ask:

- whether the land is covered by an existing or pre-prepared fire-prevention direction and, if so, what conditions are required for its activation
- if no existing direction applies, whether the Authority will urgently consider an individual application under Section 25
- what local evidence it requires and how that evidence will be assessed alongside the Fire Severity Index
- who will make the decision and within what timescale, and
- what arrangements will be made for notices, publication and communication with affected landholders.

The Authority's public information confirms that substantial areas of the National Park are CROW access land and that local restrictions may apply, but it does not currently set out a published procedure for urgent Section 25 fire-prevention applications. Members should therefore telephone immediately after emailing and request an acknowledgement, case reference and the direct contact details of the officer handling the request.

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