



Definition of access land - FAQs

What are the access rights in the CROW Act 2000?

Part I of the CROW Act grants a general right of public access to 'access land' for the purposes of open-air recreation. The rights are for access on foot. Other activities, such as camping or horse riding, are not permitted under the CROW Act, although they may be permitted locally or through other legislation applying to the land.

There will sometimes be local restrictions on the new access rights for reasons such as land management, public safety, nature and heritage conservation.

Where can I see the CROW Act 2000?

The full text of the CROW Act 2000 is available on the Office for Public Sector Information website.

What does the CROW Act 2000 mean by 'access land'?

Access land includes:

- land mapped in conclusive form as open country
- land mapped in conclusive form as registered common land
- land dedicated under section 16 (see dedication section of the website)

The CROW Act 2000 lists two exceptions to these general definitions of access land:

- Excepted land described under Schedule 1 of the Act; (see What is excepted land?)
- land with existing open access rights under section 15 of the Act (see Recording Other Access Rights Section)

What is 'open country'?

The Countryside Agency mapped as open country all land that is wholly or predominantly mountain, moor, heath or down.

Mountain - by which we mean all land over 600 metres above sea level and other upland areas comprising rugged and steep land, crag, scree, fell, or other bare rock and associated rough vegetation. It does not include coastal cliffs. It includes semi-natural upland vegetation, but does not include agriculturally improved or semi-improved grassland. It may include areas of bracken, scattered trees, open water, rivers, streams, bogs, mires, bare peat, or a mosaic of these.

Moor - by which we mean land usually of an open character [1]with semi-natural vegetation such as; mires (including blanket bog), heaths [2], rough unimproved acid grassland, and upland calcareous grassland. It does not include agriculturally improved or semi-improved grassland, but may include areas of unimproved bent-fescue grassland, scattered trees, scrub, bracken, open water, rivers, streams, bare peat, rocky outcrops or other bare ground,

or a mosaic of these. Moor usually occurs in upland areas but may also be found in lowland areas.

[1]In describing moor as comprising land 'usually of an open character', we mean that, whilst individual land parcels might comprise enclosures of varying size, they will in combination form a landscape that provides open vistas (though sometimes these are interrupted by woodland, incised valleys or other local features). Many areas of moorland include (on the edge of or within otherwise relatively large tracts of land) smaller areas bounded by walls or fences, which are an inherent part of the moorland landscape and will therefore be included as 'open country'

[2]Heath in this context refers to the vegetation community not an open country land type.

Heath - by which we mean land of a generally open character [3], usually characterised by natural ericaceous dwarf shrubs. Heath usually occurs in lowland areas on nutrient poor soils. The typical vegetation types are heathers, gorse, bilberry, mires, scrub, unimproved grassland, and bracken. It does not include agriculturally improved or semi-improved grassland, but may include areas of scattered or dense naturally regenerating trees, open water, rivers, streams, carr, sand or other bare ground, or a mosaic of these.

[3]In describing heath as being 'of a generally open character', we mean that, whilst individual land parcels might comprise enclosures of varying size, they will in combination form a landscape that provides open vistas (though sometimes these are interrupted by groups or blocks of trees or scrub).

Down - by which we mean land comprising semi-natural grassland in areas of chalk or limestone geology generally within an open landscape [4]. The typical vegetation type is unimproved grassland often with scattered scrub. It does not include agriculturally improved or semi-improved grassland, but may include areas of scattered trees, dwarf shrubs, streams, springs, or a mosaic of these.

[4]In describing down as being 'generally within an open landscape' we mean that, whilst individual land parcels might comprise enclosures of varying size, they will be part of a typical chalk or limestone landscape, sometimes with open vistas across undulating countryside and sometimes comprising steep sided 'scarp' slopes and dry valleys with more limited views.

What is registered common land?

Registered common land refers to land registered as common under the Commons Registration Act 1965 and whose registration under that Act has become final. The Countryside Agency had a duty to produce a faithful copy of the commons registers and had no discretion to change this. The CROW Act did not require the Countryside Agency to map village greens or unregistered commons.

What is 'excepted land'?

The CROW Act required the Countryside Agency to show all land on the statutory maps that is open country or registered common land. However, Schedule 1 to the CROW Act identifies 13 categories of land that, because of their location or use, are excepted from the right of access. There is no right of access to excepted land regardless of whether or not it is included in the yellow or green wash on the access maps.

The categories of land were selected to help ensure that the right of access is exercised with consideration for other people and that the public are not placed in positions of danger: Cultivated land - land ploughed or drilled in the past year for crops or trees; Buildings and their curtilage (e.g. gardens or courtyards); Land within 20 metres of a dwelling; Parks and gardens; Public utility structures such as electricity substations or telephone masts; Working quarries and other mineral workings; Railways and tramways; Golf courses, race courses, airports and aerodromes; Land being developed in one of the ways above; Land within 20

metres of a building used for housing livestock; Land in use for temporary livestock pens; Land habitually used for training racehorses between dawn and midday, and at other times when the land is actually being used for training; and Military land to which Ministry of Defence byelaws apply under section 14 of the Military Lands Act 1892 or section 2 of the Military Lands Act 1900 (e.g. training areas).

Such areas will usually be easy to spot on the ground, although they will not necessarily have hard boundaries. Defra has produced [guidance](#) to help people identify and respect excepted land when out walking. Landowners can put up signs to indicate excepted land as long as the signs are not misleading.

Are woods and river banks be open to the public?

The CROW Act 2000 does not give new public rights of access to these areas unless they are included in larger areas of access land. But landowners may dedicate permanent access over such areas (See the [Dedication](#) section of the website)

Why didn't the CROW Act 2000 create new rights to use woodland and watersides too?

The Countryside Agency, together with other agencies (Forestry Commission, Environment Agency, English Nature and Countryside Council for Wales), advised the Government that both land types were too diverse and fragmented for statutory rights of access to be a practical proposition.

What happens if an area of open country has no right of way leading to and from it?

Local highway authorities have powers to negotiate public right of way creation agreements and orders with landowners. These powers have been extended under the CROW Act to enable the establishment of public access to or across land adjacent to inaccessible islands of access land.

Does the CROW Act 2000 provide access to beaches and the foreshore?

No, but the CROW Act 2000 gives the Secretary of State powers to extend the statutory right of access to coastal land of any description. It will be for Parliament to approve any such extension. More information can be found in the [Coastal Access](#) section of this website.