

Countryside and Rights of Way (CROW) Act 2000

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING REVIEW OF DIRECTION RESTRICTING CROW ACCESS

Prepared by Natural England

Access Authority: Dorset
Relevant Authority: Natural England
Local Access Forum: Dorset Local Access Forum

Direction reference: 2007050190

Land Parcel Name	Direction Reference	Details of restriction on original direction
Fontmell Down West	2007050190	Dogs excluded annually between 1 st September and 31 st October until 2015

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict CROW access on this land.

A second consultation has been held between 2nd October 2015 and 23rd October 2015 with the statutory consultees and the general public. We received feedback from the Ramblers.

In summary the Ramblers feedback was that as the same level of stocking and breed of cattle, continental Aubrac, are being used on the land, they support the continuation of the present restriction.

Outcome of the review:

Natural England's decision is to vary the direction to extend it for a further six years.

When determining restriction cases, Natural England uses its '**Relevant Authority Guidance**', and 'Criteria Set 10: Other cattle kept on access land', says:

'Cattle normally tolerate people well, particularly when they have become used to encountering them. However because of their size they can present a significant threat of injury or even death if they feel threatened or, in particular, if they are protecting their young.'

also

'Restrictions may occasionally be necessary on the basis of a herd's temperament, or on the basis of an individual animal's temperament.'

and

'Where restriction is justified, this will usually be to exclude people with dogs while cattle are calving or have calves at foot. The maternal instinct in cattle decreases over time, so it is unlikely that a restriction of over three months will

be necessary. However the relevant authority may consider granting a longer restriction if it receives compelling justification from the applicant.'

Fontmell Down is a popular location for walkers and walkers with dogs, managed by the National Trust. A local grazier provides a herd of Aubrac Cattle (Aubrac Cattle are a hardy beef breed from the Aubrac Mountains, in south central France) to graze the downland in the summer and autumn. They provide the correct grazing for the SSSI chalk downland grassland. These Aubrac cattle move onto Fontmell Down West in September and October every year and cows and calves are present. The parcels of Open Access land are relatively small and the likelihood of coming into close proximity with the herd by someone entering these parcels is quite high.

The herd has generally been de-horned with polled animals being selected, and the stockman has been selecting better temperament animals over the last few years. However these are still large animals from a herd with a generally less docile temperament than might often be encountered from more domesticated breeds.

Therefore due to the presence of Aubrac cows and calves, and the size of the parcels, Natural England has decided that the dog exclusion should be extended for a further six years.

Natural England's policy for long term directions is that they should not be given for a period of more than 6 years. Therefore the original direction will be varied to have an end date of 23rd October 2021.

The official applicant for this case will now be changed to the stock owner rather than the National Trust, and the stockman will now be responsible for restriction signage at Fontmell Down West. As Fontmell Down West is so well used with numerous access points the checking of this signage needs to be done on a regular basis, and the stockman is aware of and has agreed to this commitment.

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Fontmell Down West	Dogs excluded annually between 1 st September and 31 st October until 2015. Public safety s25, cows and calves	Dogs excluded annually between 1 st September and 31 st October until 2021 Public safety s25, cows and calves

Details of the restriction will appear on the relevant map of access land on the Open Access website - <https://www.gov.uk/outdoor-access-recreation/rights-of-way-open-access>

Where a direction restricts access indefinitely, for more than five years, for part of every year, or for part of at least six consecutive years, we have a statutory duty to review it within five years of the date of its issue.

Date review completed: 23rd October 2015