

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: Calderdale
Relevant authority: Natural England
Local access forum: Calderdale

Land Parcel Name	Direction Reference	Details of restriction on original direction
Calderdale 1 Soyland Moor	2005030003	Dogs allowed on permitted routes only, annually between 1st March and 31st July until 2016

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict CROW Access rights on this land. A second consultation has been held between 22nd July and 19th August with statutory consultees and the general public. We received feedback from a number of consultees including the Gamekeeper and the Ramblers

The gamekeeper supports the continuation of the restriction and would like more permanent signage.

As it has been confirmed that the breeding bird assemblage is still present on the site and other conditions remain the same the Ramblers agrees that the direction is the lowest level of restriction necessary and in line with the relevant authority guidance.

Outcome of the review:

Natural England's decision is to vary end date of the direction to allow it to continue. People with dogs will be restricted to permitted routes from 1st March to 31st July.

It is necessary to restrict CROW access to this extent to prevent disturbance to breeding birds.

The site forms part of the South Pennine Moors Site of Special Scientific Interest (SSSI) and is a Special Protection Areas (SPA). SPAs are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species. A bird survey carried out in 2014 included sightings of several raptors, Dunlin, Curlew, Twite, Snipe, Golden Plover, Common Sandpiper, and Wheatear. The birds are distributed across the whole site.

One of the most significant factors in the disturbance of ground nesting birds is disturbance by dogs and more specifically dogs off leads.

A dogs on lead restriction was considered but due to the number and widespread location of the birds, and the levels of access on the site, this type restriction would not have been sufficient to protect the nature conservation interests of the site. Therefore, between 1st March and 31st July people with dogs will be restricted to two permissive paths on the site - one crossing Great Manshead Hill from the A58 (Rochdale Road), the other heading south from the A58 on to Rishworth Moor.

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 31st July 2021

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Calderdale 1 Soyland Moor	Dogs allowed on permitted routes only, annually between 1st March and 31st July until 2016	Dogs allowed on permitted routes only, annually between 1st March and 31st July until 2021

Details of the restriction will appear on the relevant map of access land on the Open Access website - www.openaccess.naturalengland.org.uk.

You should note that the applicant has the right to appeal within six weeks against our decision not to act in accordance with the application originally submitted to us. Only the applicant can appeal against this decision. Details of any appeal will appear on the Planning Inspectorate's website at www.planningportal.gov.uk/planning/countryside/countryside.

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: 20th August 2015

