

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

Direction reference: 2006030159

Land Parcel Name	Direction Reference	Details of restriction on original direction
Lower Lugg Meadow	2006030159	01/03/2010 - 31/07/2010 Every year until 31/07/2015

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 April 2015 and 8th May 2015 with the statutory consultees and the general public. We received feedback from two consultees, the Ramblers and the Local Correspondent of the Open Spaces Society (OSS).

In summary their feedback was:

-OSS local Correspondent noted that in Natural England's Second Consultation Summary Report the Chair of the Herefordshire Local Access Forum and the Herefordshire Ramblers stressed that better access needs to be provided outside of the restriction period by installing pedestrian gates at 2 locations. The OSS commented that there is nothing in the papers to suggest that this will happen and they would request that an assurance be sought over this before extending the restrictions.

-The national Ramblers group stated that if the site is still an active breeding site for Curlew they would be agreeable to extending the current direction. They are glad that updated information has been provided with the second consultation which indicates the sites continued importance for Curlew. This indicates the sites continued importance for Curlew, and as such they are happy to agree to an extension of the current direction.

Outcome of the review:

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

Therefore the land will have access excluded between 1st March and 31st July every year until 2021, to protect breeding populations of Curlew.

Lugg Meadows are divided into the Upper and Lower Lugg separated by the busy A438. The site is designated as a Local Nature Reserve and a SSSI. Herefordshire Wildlife Trust (HWT) manages both the Upper and Lower Lugg Meadows. The Upper Lugg is Section 15 Common Land, so access has been in place for many years, and is heavily used by the public, particularly dog walkers as it is in close proximity to the housing estates of Hereford. The Lower Lugg is very different, being much quieter, with no PRow and was not open to the public before Open Access came into force under the CROW Act 2000. It is a very flat and open site and of particular interest to breeding curlew.

Lugg and Hampton Meadows SSSI were notified as SSSI on 14 December 2011 for their unimproved species rich neutral grassland communities. Curlew *Numenius arquata* are mentioned in the SSSI citation and as such should be taken into account when considering the likely impact from access.

Curlew are on the Amber List of Birds of Conservation Concern and are listed as a Species of European Conservation Concern, with its breeding population being listed as in decline.

At Lower Lugg the population figures that are given in the Second Consultation Summary Report show that the population has dropped from 4 pairs in 1999 to around one pair for the last few years, but this population may be slowly increasing with 2 pairs seen in 2014.

HWT commented at the 2015 site visit that although Curlew numbers have been low for a number of years the site is still important for Curlew when combined with Hampton Meadow and when looking at the wider Lugg landscape. They also said that the numbers did increase last year and Curlew have been observed returning this year and holding territory.

Curlew are known to be sensitive to disturbance so given the UK population declines and the importance of the site locally, and its known vulnerability to disturbance, the restriction will be continued for a further six years.

Disturbance is possible from both people with dogs and people alone as the Lower Lugg meadow is completely flat and with no vegetation cover other than short grass in the spring. People accessing the meadow from the two access points would disturb the vulnerable curlew so the total exclusion is to be extended for a further six years from 1st March to 31st July every year.

Natural England's policy for long term directions is that they should not be given for a period of more than 6 years. As we are part way through a restriction period at the time of this decision, Natural England will extend this restriction for six more restriction periods, therefore the original direction will be varied to have an end date of 31st July 2021.

Access Management

New restriction signs have been positioned at the two access points, using new HWT branding and mounted on aluminium frames. The OSS, Herefordshire LAF and Herefordshire Ramblers would all like to see access improved outside of the

restriction period with potentially two pedestrian or kissing gates installed at the two access points. These could be locked during the restriction periods and may well help maintain compliance with the restriction period in conjunction with the restriction signs. Natural England can understand the requirement for better access but it is not within our powers to insist on these improvements as part of this process as requested by the OSS. Natural England hopes that this can be resolved locally between the above groups, and the freeholders and the commoners. HWT are also continually improving access to the Upper Lugg which is already well used and where managing disturbance is not really possible due to the high visitor numbers.

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Lower Lugg Meadow	1 March – 31 July each year No public access. Nature Conservation, ground nesting birds	1 March – 31 July each year until 31 st July 2021 No public access. Nature Conservation, ground nesting birds

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

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: 9th June 2015.