

Countryside and Rights of Way (CROW) Act 2000:

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING CONSULTATION ON PROPOSED LONG-TERM RESTRICTIONS OF CROW ACCESS

Prepared by Natural England

Case reference number: 2015118003 and 2015118004
Name of site/land parcel: Shapwick Heath National Nature Reserve
Grid reference: ST430403
Access authority Somerset County Council
Local access forum : Somerset LAF
Consultation began: 22 January 2016
Consultation ended : 5 February 2016

Date of direction notice: 5 February 2016

Natural England has now decided how to proceed following its consultation about its proposal to restrict people with dogs and exclude people under section 26 of CROW on this land. The relevant authority's decision is to give directions restricting CROW access in the way it originally proposed.

This is because it is necessary to restrict CROW access to this extent to prevent disturbance to breeding and overwintering populations of bird species vulnerable to disturbance.

The land owned by Natural England at Shapwick Heath NNR was dedicated as Open Access Land by Natural England, access rights commenced on 7 February 2016. It is SSSI, part of the larger Somerset Moors Special Protection Area (SPA) and a Ramsar site.

The NNR is 530ha in size, and is an exceptionally diverse area, with restored reed beds, open water, ditches, flower rich wet meadows, remnant mire, woodland and a large part of it is farmland, called Canada Farm.

The two required restrictions are:

- 1) 2015118003. A nature conservation restriction (Section 26) to exclude people with dogs all year from the whole reserve (except Public Rights of Way), in line with the current access management policy, to protect breeding and overwintering birds. This will also protect other sensitive species such as otter, water vole and water shrew, and prevent any problems with cattle and dogs at Canada Farm.
- 2) 2015118004. A nature conservation restriction (Section 26) to exclude people from four reedbed parcels all year, due to the presence of both breeding and overwintering populations of species vulnerable to disturbance. The breeding bird assemblage is 65 species, with key

reedbed specialists being, bittern (Red Data, BAP Priority, SPA), great white egrets, marsh harrier and gargany. Little bittern and night heron are also potential breeders. These four parcels are shown on the attached Consultation Notice in blue hatching and are:

- Meare Heath
- The Roughet
- Large area of reedbed to the south of the South Drain
- A small parcel of reedbed with grassy strips and open water

Of the reedbed specialists bittern are known to be very sensitive to disturbance and marsh harrier nest in the reed beds so are also vulnerable to disturbance. There is little data on disturbance for the great white egret but they are also likely to be vulnerable to disturbance. These reedbed areas currently have no public access and it is considered essential that this management is continued, as without restrictions visitors may try to enter the reedbed areas to get closer to bird species. The total exclusion on the main reedbeds will also address the public safety issues described above.

Discretionary restrictions would not meet the need in this case and are not being used at all on Natural England owned dedicated NNR.

There were two responses to the consultation, one from the Ramblers, and one from Somerset County Council. Both were supportive of the proposed restrictions given the sensitive species and current management. Somerset County Council made the additional comment that the existing Public Rights of Way network in the area must remain open at all times and their respective rights enforced. In addition the Ramblers also added their support and thanks for Natural England's NNR dedication programme, believing that the program has strengthened both public access and nature conservation across the NNR network.

A copy of the direction is enclosed for your information. Details of the restriction will appear on the relevant map of access land on the Open Access website at 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 are obliged to review it within five years of the date of issue.