

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: 2009050214

Land Parcel Name	Direction Reference	Details of restriction on original direction
Bramblecombe	2009050214	Dogs excluded annually between 28/10/2009 until 28/10/2015

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 9th October 2015 and 23rd October 2015 with the statutory consultees and the general public.

We did not receive any feedback.

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.'

In this case Bramblecombe Farm keeps a suckler herd of British White Cattle on the parcel of open access land, usually with a bull, and with calves at foot. The parcel is not very big (23 acres), and the cattle are kept outside on the land all year, and calve all year. The farmer confirmed the temperament of the herd can be quite wild when approached by people they don't know. Given these factors Natural England considers it is important to extend the dog exclusion 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 28th October 2021.

The farmer is aware that restriction signage is required and has committed to continuing to erect it at potential access points. In this case even though there is no legal right of access to the parcel, if people were to inadvertently trespass up the lane and arrive at the main field gate/ access point to this land, then they need to know there is a potential danger were they to enter with a dog.

Summary of changes made to the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Bramblecombe	Dog Exclusion 28/10/2009 until 28/10/2015 Public safety s25, cows and calves	Dog Exclusion 28/10/2015 until 28/10/2021 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: 27th October 2015