

## Countryside and Rights of Way (CROW) Act 2000

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

Prepared by Natural England

Access authority: Hampshire CC  
Relevant authority: Natural England  
Local access forum: New Forest Access Forum

Direction reference: 2007020060

Land Parcel Name	Direction Reference	Details of restriction on original direction
Bickerley Common	2007020060	No access between 1 <sup>st</sup> October and 31 <sup>st</sup> August annually

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict open rights on this land. A second consultation was held between 8<sup>th</sup> and 30<sup>th</sup> April 2020 (outlining a variation to the exiting direction) with statutory consultees and the general public. We received the following feedback

#### **New Forest Access Forum**

*We are delighted that consideration is being given to extending the opening by another month. We still feel that a longer period of public access would not have any detrimental effect upon the wildlife in the area and suggest that Natural England allow open access to this area from August-Oct.*

*In addition we suggest the addition of a sign, along the route of the public footpath in the NW corner of the field, explaining about the restriction and to keep dogs under close control for the benefit of wildlife.*

#### **Outcome of the review:**

Natural England's decision is to vary the original direction by reducing the annual dates of the restriction by one month (1<sup>st</sup> October – 31<sup>st</sup> July (annually)) and extend the end date for a further six years.

After due consideration and in discussion with the designated site responsible officer; Although the management has not changed and the sensitive features continue to exist on site, the nesting patterns have now changed and it is deemed appropriate to allow access during August.

As part of the variation we also intend to provide the access authority with new signage with further information about the features on site, including the use of the general restriction regarding dogs to leads when livestock is present. **(This will be actioned when we are allowed to do so under Government guidance surrounding the Coronavirus outbreak.)**

There has been a slight change in the circumstances which would deem the direction requiring a change.

The site is within the Avon Valley SSSI and River Avon (Hampshire) SPA, and is an important wet grazing meadow site with specific sensitivities for ground nesting birds and over wintering bird assemblage.

Due to the relatively small size of the site Natural England feel that the best way to continue to manage the nature conservation concerns is to exclude access for the period described above.

Bickerley Common has breeding Lapwing each year and Redshank may start to breed here too. These are notified features of the SSSI. Any human (or dog) presence at the site during the breeding season (1<sup>st</sup> March through to 1<sup>st</sup> August), even on a perimeter path, would almost definitely preclude these birds from breeding and would thus go against our objectives for the Avon Valley SSSI. The exact same issues apply during the winter feeding season (1<sup>st</sup> October through to 1<sup>st</sup> April).

The nature conservation interests are being met by the restriction in a way that no lesser restriction would achieve, and as would not be possible by any access management solution.

There is sometimes grazing cattle on site too, so we are reiterating the requirement for walkers with dogs to adhere to the general restrictions given in Schedule 2 of the Act, that require dogs to be kept to a short lead when livestock is present.

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 extended to an end date of 19<sup>th</sup> September 2026.

**Summary of changes made to the existing directions:**

<b>Land Parcel Name:</b>	<b>Details of restriction on original direction:</b>	<b>New details of restriction</b>
Bickerley Common	No access between 1 <sup>st</sup> October and 31 <sup>st</sup> August annually	<b>No access between 1<sup>st</sup> October and 31<sup>st</sup> July annually until 2026</b>

Details of the restriction will appear on the relevant map of access land on the Open Access website - [www.openaccess.naturalengland.org.uk](http://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: 4<sup>th</sup> May 2020