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 Council

Relevant Authority: Natural England

Local Access Forum: Herefordshire Local Access Forum

Direction references:

• 2006030159 - Lower Lugg Meadow

2020029075 – Hampton Meadow

Land Parcel Name:	Direction Reference	Details of restriction on original direction
Lower Lugg Meadow	2006030159	17/04/2020 – 17/04/2026 Between 1 March and 31 July each year
Hampton Meadow	2020029075	28/02/2020 – 28/02/2026 Between 1 March and 31 July each year

Natural England has now decided how to proceed following its review of the above long-term directions to restrict CROW Access rights on this land. The two directions at Lower Lugg and Hampton Meadows are being reviewed together due to their proximity and similarity of issues. A consultation was held between 31 October and 9 December 2024 with statutory consultees and the general public. We received comments from Kemerton Conservation Trust and Plantlife UK in support of the open access restrictions and extending these directions.

Outcome of the reviews

Natural England's decision is to leave the original directions unchanged in the way they were originally proposed and extend the end dates for a further six years. Therefore, the land will have access excluded between 1 March and 31 July every year until 2030, to protect breeding populations of curlew.

As these directions are a continuation of the current situation with only the end dates being changed a second consultation is not required.

Background to the sites and existing directions

These directions were given to protect breeding curlew which are present in nationally significant numbers. Curlew are on the Red List of Birds of Conservation Concern with the breeding population being listed as in decline. They are a ground-nesting bird species highly sensitive to disturbance.

Lugg and Hampton Meadows are large expanses of traditionally managed hay meadows in the floodplain of the River Lugg to the east of Hereford. They are surviving Lammas meadows, with ownership divided amongst many individuals just as in medieval times. The meadows are managed by taking a hay cut in late June or early July and once the hay crop has been cut the meadows are opened up for communal grazing. Commoners exercise their grazing rights during the winter months before Candlemas (2 February), after this date the meadows are 'shut up for hay' with no grazing permitted until Lammas Day (1 August).

Both sites are flat and open and are very important sites for breeding curlew within Herefordshire and the West Midlands. In 2005 Lower Lugg Meadows and Hampton Meadows collectively supported half the breeding population of curlew in Herefordshire.

Lower Lugg

Herefordshire Wildlife Trust (HWT) manages both the Upper and Lower Lugg Meadows. The Upper Lugg is Section 15 Common Land, and access has been in place for many years and this meadow is heavily used by the public, particularly dog walkers as it is near to the housing estates in Hereford. There was no access to Lower Lugg prior to the Countryside and Rights of Way Act 2000 and there are no public rights of way on the site.

Natural England is aware that an application for outline planning permission was submitted to Herefordshire Council in February 2024 for 350 houses and potential primary school on the eastern edge of Tupsley, to the west of the SSSI (adjacent to Lower Lugg). At the time of writing no decision has been made by the Council with the time for determination of the outline planning application extended to 20 December 2024. Should this development go ahead this is likely to result in additional pressures on the site.

Hampton Meadow

Two public rights of way run across the site, intersecting in the middle of Hampton Meadow. These will not be affected by the direction to restrict access. This leaves large areas of the meadow where access is excluded during the crucial breeding period, which should be undisturbed during this time. People and dogs spreading off the public rights of way are likely to disturb the vulnerable curlew. Signs are present at the access points advising of the restriction to access.

Hampton Meadow was assessed for a similar exclusion back in 2006 and it was thought then that the public rights of way crossing the site would make the direction unworkable. However, since then the UK breeding population of curlew has suffered further declines and HWT believe that this direction is needed to help protect the vulnerable species during the breeding season.

Herefordshire Curlew Project

Herefordshire Wildlife Trust, Herefordshire Ornithological Club and other interested groups are working to conserve curlew at Lugg and Hampton Meadows. Since 2019 temporary electric fencing has been installed around the areas where the birds nest to protect nests from predators and prevent disturbance from people and dogs.

In 2023 work began on a two-year funded project to colour ring and satellite tag curlew to help discover more about the habits, movements and land use of curlews during the breeding season and hopefully find out more about causes of breeding failure.

Summary of the need for a direction to restrict access

Continued disturbance of ground-nesting birds and sensitivity of species such as curlew could result in the loss of chicks and nests and Lower Lugg and Hampton Meadow as breeding sites. Informal management measures alone were considered inadequate to protect these breeding birds. A dog exclusion or the national dogs on leads restriction during the curlew breeding season was not thought to offer enough protection given the sensitivity and importance of these species.

Although numbers are low, Lower Lugg and Hampton Meadows remain important sites for curlew and other ground-nesting birds. Continuing the exclusions during the breeding season will provide the undisturbed conditions that these species favour.

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 directions will be varied to have end dates of 12 December 2030. These directions do not affect existing or traditional rights of access.

Summary of the existing directions:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Lower Lugg Meadow	17/04/2020 — 17/04/2026	1 March to 31 July
	1 March to 31 July	Every year until 2030
	each year	
Hampton Meadow	28/02/2020 – 28/02/2026	1 March to 31 July
	1 March to 31 July	Every year until 2030
	each year	

Details of the restrictions 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: 12 December 2024