

Countryside and Rights of Way (CROW) Act 2000:

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING CONSULTATION ON A EXCLUSION OF CROW ACCESS

Prepared by Natural England

Access Authority: Northumberland County Council
Relevant Authority: Natural England
Local Access Forum: Northumberland

Land Parcel Name:	Direction Ref.	Dates of exclusion on existing direction:	Reason for Exclusion
Hulne Park	2005070107	Public Exclusion during the deer rutting season from September 15 th to November 15 th each year until 15/11/2021	CROW s25: Public Safety

Natural England has now decided how to proceed following its consultation about the above direction to exclude CROW access on this land.

Natura England, as the Relevant Authority, has decided to leave the original direction unchanged and extend the end date for a further six years.

Information about the decision:

A consultation was held with statutory consultees and the general public that sought views on the existing direction from October 1st to October 31st 2019. Natural England received no feedback.

Outcome of the Review

Background

In order to establish whether there is a continued need for the exclusion on this land, it was crucial to understand the behaviour of the deer and the current access arrangements. In undertaking this we considered all the information provided and sought confirmation on the advice given in 2014 from the Deer Management Licensing and Policy team within Natural England.

Hulne Park is approximately 3,500ha in size and is an enclosed deer park, where Red and Fallow Deer are farmed. At the time of the last review in 2014 there were approx. 500 fallow deer and 60 red deer currently within the park. The estate usually holds a stock of around 100 Red Deer. The decline in numbers, in 2014, was due to some escaping through a damaged wall; therefore the estate have purchased additional stock to increase the gene pool again. However, the estate have reported that at the time of the rut the numbers of stags increase as “feral” stock enter the park.

Hulne Park is open to the public between 11am and sunset, 7 days a week. The application site forms a small part of the overall park and was mapped as open access by the nature of its moorland habitat - however the majority of the park (located to the north of this site) is not categorised as open access land. Once in the park access is restricted to the permissive marked routes (3 trails), therefore no means of access to the excluded area from the North exists.

The excluded area is located at the southern end of Hulne Park and overlooks the rest of the park that stretches out to the north. The restricted area is bounded along its southern boundary with a 2m high stone wall. A single gate is located in this wall and allows the only realistic access point into the site from the adjacent access land (Alnwick Moor). This is permanently locked as the Estate keen to control access through the main entrance in Alnwick.

The eastern and western boundaries are fenced but the northern edge is not fenced as it slopes down into the rest of the deer park. The site undulates significantly and slopes down to the deer park from the stone boundary wall (this slope contains crags and steep slopes).

There are no promoted routes across the restricted area although there is a public footpath that runs alongside the estate wall (to the south of the restricted area and outside the park).

Is it necessary to do anything?

Stags become very aggressive during the rut. Individual stags that have lost their fear of humans and which are readily approachable should always be regarded as potentially hazardous once they have cleaned the velvet from their antlers. The estate have confirmed that the Red Deer rutting period lasts from mid-September to mid-November and have indicated that the stags can and do get extremely aggressive at these times.

Farmed deer are temperamentally different from other farmed animals and present greater risks to visitors than wild deer. Wild deer will normally avoid areas frequented by visitors; due to the permissive access within the park this is not always possible. The Estate has confirmed that users of the Park do stray off the promoted routes, ignoring the on-site notices.

Criteria Set 13 of the Relevant Authority Guidance (April 2004) indicates that significant risks are only likely from stags during the rut (and from hinds that have recently calved, or are about to calve).

The risks are greater in small enclosures and areas with high stocking densities because close contact between the deer and visitors is more likely, and further intervention may be necessary.

Due to the open character of the moorland, much of this rutting takes place within this area. The Deer Management Licensing and Policy team confirmed that Red Deer are prone to rutting on areas of open moorland, as this is more akin to their natural habitat. The Estate have confirmed that rutting is concentrated on the lower slopes and Natural England, as the Relevant Authority, believe it would be easy for users of the access land to “stumble” on the rut attempting to reach the radar station or by walking out the wooded area at White Hill or on the track known as High Moor Drive.

The Deer Management Licensing and Policy team also highlighted that the likes of the internet and other natural history programmes, such as, Autumn Watch and Countryfile have increased the public's interest in Red Deer, especially during the rutting season.

In considering the information available and the statutory guidance, we believe that the current exclusion is in line with guidance and is still required for a number of reasons:

- Individual stags that have lost their fear of humans and which are readily approachable should always be regarded as potentially hazardous once they have cleaned the velvet from their antlers¹.
- The use of signs at times of risk to warn visitors will not be sufficient to address the risk. The nature of the terrain and the high stone estate wall running across the southern edge of the site means that opportunities to move away to safe areas from the red deer, if they do charge, are limited.

Therefore, our decision is to leave the original direction unchanged and extend the end date for a further six years.

As the exclusion is short term in nature (less than 6 months per year) we are not required to undertake a further round of consultation.

However, as this is a long term direction, then Natural England, as Relevant Authority will be required to undertake a review of this direction by no later than the 5th anniversary of the date of issue.

Summary of changes made to the existing direction:

Land Parcel Name	Direction Ref.	Dates of exclusion on original direction	Details of new direction	Reason for Exclusion
Hulne Park	2005070107	Public Exclusion during the deer rutting season from September 15 th to November 15 th each year until 15/11/2021.	Public Exclusion during the deer rutting season from September 15 th to November 15 th each year until 15/11/2025.	CROW s25: Public Safety

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

Date review completed: November 5th 2019

¹ Stags clean the velvet from their antlers in late summer and autumn (the times vary according to the species), and are then said to be “in hard antler” indicating the onset of “the rut” – when stags compete for dominance.