

Countryside and Rights of Way (CROW) Act 2000:

**PROPOSAL FOR A LONG TERM DIRECTION
BY THE RELEVANT AUTHORITY**

SUMMARY FOR PUBLIC CONSULTATION

Prepared by Natural England

1. INFORMATION ABOUT THE PUBLIC CONSULTATION

Case Reference Number:	2018078720
Name of site/land parcel:	Godrevy, (SW584433)
Access Authority:	Cornwall Council
Relevant Authority:	Natural England
Local Access Forum:	Cornwall Countryside Access Forum

Natural England proposes to give a direction on the site that would last for longer than six months continuously. The Act requires us to consult publicly on all such proposals for 'long-term directions'.

i) Summary of proposed direction to restrict access

Godrevy Headland is located on the north coast of Cornwall and is owned and managed by the National Trust. The site is a popular location for both tourists and those more local to the area, receiving approximately 400,000 visitors a year.

The site includes the South West Coast Path that runs around the perimeter of the headland. Parking and café facilities are provided by the Trust, with visitors drawn to the site due to the extensive areas of sandy beach, the panoramic views and the presence of Grey Seals. The seals are present around the headland, using off shore rocks, but also use a cove found on the northern side of the headland. The cove is one of the most important seal haul out and pupping sites in the South West, with a significant number of seals using the site year round, hence their recent inclusion as a feature of the Godrevy Head to St Agnes SSSI.

Due to the cove's location, the seals can be easily viewed by the public either when walking the coast path, or by driving to the site and walking a short distance to the cliff above the cove. The majority of those that view the seals do so from standing on the cliff top looking down on the cove. However, occasionally individuals walk down a narrow path on the coastal slope to get closer to the seals.

Cornwall Seal Group Research Trust, (CSGRT), have surveyed the site for over ten years. The survey data collected, not only details the number of seals and identifies individuals, but also documents incidents of disturbance. Over the last seven years the number of incidents recorded has regularly been over sixty incidents in any one year, with over 600 seals affected on this site alone in 2017. Disturbance to the seals is caused by onlookers talking and dogs barking on the cliff top. However, disturbance has also been caused by individuals walking down the coastal slope.

Incidents of disturbance cause different levels of stress to the seals using the site. These can range from using additional energy reserves and affecting their ability to nurture their young, to permanently abandoning the site.

2. SUMMARY OF RELEVANT AUTHORITY PROPOSAL

ii) Why is a statutory restriction necessary?

The site was visited on 30th May 2018 by Natural England, with the National Trust and CSGRT in attendance. During the site meeting the coast path was walked around the head land with discussion centring on measures put in place by the Trust to try and manage the visitor numbers on site and reduce incidents of disturbance.

The National Trust have erected both an interpretation panel providing information on Grey Seals leading up to the cove, as well as signs next to the coast path asking the public to remain quiet when they are viewing the seals from the cliff top. In addition, the Trust have erected a sign to discourage people from walking down the track to the cove. Despite these proactive measures, incidents of disturbance are still being recorded, with the records from 2017 showing an increased number of disturbance incidents for seven months of the year than compared to the mean number of disturbance incidents recorded between 2011 – 2017.

Moving the coast path away from the cliff top was discussed as a measure that could potentially help reduce levels of disturbance. However, it was agreed that due to the number of visitors, and the current path being well known and worn, attempting to sign a new route was unlikely to be effective.

iii) What is lowest level of restriction required ?

Relevant sections from Natural England's Relevant Authority Guidance (RAG) are detailed below:

1.1.23 A direction may restrict CROW access rights only “to the extent necessary” for the purpose(s) stated. In giving a direction, the relevant authority is therefore obliged to adopt the least restrictive option that in its view will meet the need.

2.2.30 The relevant authority may only impose a nature conservation restriction to the extent that, and covering areas where and times when, such a restriction is necessary for the nature conservation purposes in question.

Bearing in mind the above guidance, we have considered the following when making our proposal:

1. The number of visitors the site receives and the pattern of use of the site.
2. The route of the existing coast path and the public awareness of the seals presence on the site.
3. The use of the site by the seals year round.
4. The importance of the site for the species.
5. The number and type of disturbance incidents recorded over the past seven years.

Godrevy is well known as a site where seals can be viewed in situ with parking and café facilities close by. The sites popularity is reflected in the number of visitors it receives each year which subsequently reflects in the number of disturbance incidents recorded by the CSRGT. Although the number of seals varies to some extent through the year, the site remains used by seals throughout, with peak numbers reaching over 100 seals at any one time.

Therefore, considering the constant use and the importance of the site for seals, the popularity of the site for the public, and the continuing incidents of disturbance recorded, it is proposed to restrict access to the coastal slope above the cove, from the existing coast path to the foreshore, all year round (see map of proposed restricted area). It is felt that such a restriction would complement the existing signage and interpretation used by the Trust to educate visitors and change behaviour, as well as helping to discourage individuals from walking down to the cove and causing significant disturbance to the seal population. Due to the presence of the seals year round, it is proposed that public access on the coastal slope above the cove would be permanently restricted.

Work is well underway on the Coastal Access proposals for this stretch of coast. Natural England expects to publish a proposal for Coastal Access on the Newquay to Penzance stretch during spring 2019. At this stage of our draft proposal we anticipate that the CROW access land on Godrevy headland will be included in the coastal access margin. Our intention is to replicate the proposed CROW exclusion above when Coastal Access rights commence, and the details of this exclusion will be published in our proposal to the Secretary of State.

iv) Additional Supporting Information

Unpublished material from the Cornwall Seal Research Trust has been used in the production of this report. This includes records from 2011 – 2017 and subsequent analysis. Visitor survey statistics have also been supplied by the National Trust.

3. SUBMITTING COMMENTS ABOUT THE PROPOSED DIRECTION:

If you wish to comment on the review of this direction then you must do so before 7th October 2018 directly to Hugh Tyler at hugh.tyler@naturalengland.org.uk. A map accompanies this notice and can be seen on the [consultation pages](#) on Citizen Space¹.

Using and sharing your consultation responses

In line with Natural England's [Personal Information Charter](#), any comments you make, and any information you send in support of them, will help us to determine the application and / or determine if the restriction is still necessary in relation to the review or reassessment of a current direction.

We may wish to pass such comments or information to others in connection with our duties and powers under the open access legislation. This may mean for example passing information, including your name and contact details, to the Secretary of State or their appointees, the Planning Inspectorate or to the relevant access authority(s).

We will summarise all responses and place this summary on [the Government's consultation website](#). This summary will include a list of names of organisations that responded but not the names, addresses or other contact details of individual respondents.

There may also be circumstances in which we will be required to disclose your response to third parties, either as part of the statutory process for consideration of representations and objections about our decision, or in order to comply with our wider obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please explain clearly why you regard the information you have provided as confidential. However, we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.

¹ <https://consult.defra.gov.uk/>