

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: Gloucestershire County Council
Relevant Authority: Natural England
Local Access Forum: Gloucestershire Local Access Forum
Direction reference: 2005110053

Land Parcel Name	Direction Reference	Details of restriction on original direction
Upham Meadow	2005110053	01/03/2020 - 31/07/2020 Every year until 31/07/2026

Natural England has now decided how to proceed following its review of the above long-term direction to restrict CROW Access rights on this land. 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 in support of the open access restriction and extending the direction.

Outcome of the review

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

As this direction is a continuation of the current situation with only the end date being changed a second consultation is not required.

Background to the site and existing direction

This direction was given to protect breeding curlew which are present in nationally significant numbers.

Upham Meadow and Summer Leasow SSSI is 106.1 ha's in size, of this 102.8 hectares (97%) is defined as access land, being registered common land. The site had no official access or rights of way prior to 2005 and was considered likely to be popular with walkers after the commencement of CROW access rights.

The Severn and Avon Vale is home to 30-35 breeding pairs of curlew, one of the largest lowland breeding populations. Upham Meadow is the most important site in the Vale and continues to hold six or seven breeding pairs.

An ongoing Wildfowl and Wetlands Trust study of the area demonstrated that sites which are undisturbed during the breeding season hold more pairs of nesting curlew and produce more chicks than sites exposed to disturbance. Where there is extensive use of a site by the public (and in particular by dog walkers) monitoring showed that breeding curlew pairs were rarely successful in rearing chicks.

Informal management measures alone were considered inadequate to protect these breeding birds. A dog exclusion or the national dogs on leads restriction was not thought to offer enough protection during the breeding season, given the sensitivity and importance of these species. Therefore, a direction was given in 2005 to exclude access annually during the breeding season between 1 March and 31 July each year.

Local farmers and landowners who cut the hay at Upham are aware of the presence of nesting curlews and work to promote their survival. Kemerton Conservation Trust has recently made purchases of land on Upham Meadow with the purpose of conserving curlew. Signs are present at the access points advising of the restriction to access.

Upham Meadow remains an important site for curlew and other ground-nesting birds and continuing the exclusion 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 direction will be varied to have an end date of 12 December 2030. This direction does not affect existing or traditional rights of access.

Summary of the existing direction:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Upham Meadow	01/03/2020 - 31/07/2020 Every year until 31/07/2026	1 March to 31 July Every year until 2030

Details of the restriction 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