

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
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	01/03/2015 - 31/07/2015 Every year until 31/07/2020

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict CROW Access rights on this land. A consultation has been held between 4th November and 26th November 2019 with statutory consultees and the general public. We received feedback from the Access Authority, Gloucestershire County Council, who confirmed they are in agreement with the direction being in place.

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 2026, 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.

This direction has been given as Curlew are present in nationally significant breeding populations. The Curlew population is now being monitored as part of the Wildfowl and Wetlands Trust's (WWT) Severn Vale Curlew project. They believe that monitoring over the whole of the floodplain clearly demonstrated that Upham Meadow remains by far the most important breeding site in the Vales for Curlew with a small number of young thought to have been produced at Upham Meadow in 2019. One of the reasons for this pre-eminence is considered to be the lack of disturbance from visitors and dog-walkers during the breeding season. Having said that discussions between Natural England and the haywarden raised the issue that there are still some regular committed dog walkers who ignore the legal direction and restriction notices. It is possible access from these people is causing a higher level of

predation which is affecting the overall Curlew population and their breeding success.

It is thought that changes in agricultural practices such as the switch from hay making to silage production have left Gloucestershire's breeding curlew population, as well as many other farmland birds, sparse in number and in fragmented populations across the county. These small and increasingly isolated populations are that much more affected by adverse change, and thus are highly vulnerable to further pressure from recreational use and breeding curlews are especially sensitive to disturbance.

The traditional hay making practices at Upham Meadow, being a Lammas Meadow where a late hay cut is taken, favours these breeding birds, and this combined with the meadows having not being accessed historically has allowed these populations to continue to use the meadows. The meadows are also in a Higher Level Stewardship (HLS) scheme which favours these traditional management practices. Given the sensitivity of these breeding birds and that continued disturbance could result in the loss of chicks and nests and even Upham Meadow as a breeding site, a total exclusion is required. A dog exclusion or the national dogs on leads restriction during this period is not thought to offer enough protection given the sensitivity and importance of these species

Whilst monitoring Curlews at Upham Meadow in 2019 there were no records of Redshanks (*Tringa totanus*), and it is thought this has been the situation for at least the last two or three years, possibly more. There are also no Snipe present. Continuing the exclusion will provide the undisturbed conditions that could favour the return of these species.

WWT have also found healthy populations of breeding Skylark and Reed Buntings on the ground and in the vegetation of the meadow, and the vegetation in the brook on the western fringe of the meadow holds good populations of breeding Sedge Warblers and Reed Buntings. In addition, the reeds along the Avon hold good nesting populations of Reed and Sedge Warblers.

During 2019, with the approval of the Hay Warden and other land-owners, signs funded by the Gloucestershire Naturalists' Society were erected by WWT on the gates leading to the meadow, pointing out that there was no access to the site from 1 March to 31 July because of the risk of disturbing ground-nesting birds. These replace restriction signs that Natural England funded and were produced and erected by Gloucestershire County Council after the last review in 2019. It is believed these signs only lasted a couple of years before disappearing.

Another issue that could be affecting the adherence to the direction is the fishermen – they access the Ham legally under a fishing right and sit along the Avon on designated pegs. They often stay overnight as well and do go onto the Ham during the closed season. This may give an impression of people out and about on the Ham despite it being closed and then others without this legal right to access consider they can enter too.

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 31st July 2026.

Summary of the existing direction:

Land Parcel Name:	Details of restriction on original direction:	New details of restriction
Upham Meadow	01/03/2015 - 31/07/2015 Every year until 31/07/2020	01/03/2020 - 31/07/2020 Every year until 31/07/2026

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: 24/01/2020