

EAST DEVON PEBBLEBED HEATHS AND THE COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

QUESTIONS AND ANSWERS

What are the East Devon Pebblebed Heaths?

The East Devon Pebblebed Heaths are owned by Clinton Devon Estates and are managed by the East Devon Pebblebed Heath Conservation Trust on their behalf. The area is made up on seven commons, which lie over Triassic pebblebeds. Formed over 240million years ago, these now provide an area that is uniquely managed for its flora, fauna and public access.

The whole area of the East Devon Pebblebed Heaths is located in an Area of Outstanding Natural Beauty (AONB) and has both UK and European designations including Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC). Its management is dictated by these designations, to encourage breeding grounds for the Dartford Warbler, Southern Damselfly, Night Jar and Silver Studded Blue butterfly.

What have been the past rights of access?

In 1930, Lord Clinton dedicated the commons for public access under the newly introduced Law of Property Act 1925. This legislation enabled the public to use the heaths for 'air and exercise' and since then the land has been used by both local people and visitors to East Devon for that purpose.

What is the CROW Act 2000?

September 19th 2004 was an historic date for all users of the countryside. From this day, a major new right of access was introduced that giving people the opportunity to walk across mapped access land, without having to stay on footpaths. This new legislation is known as the Countryside and Rights of Way Act 2000. In England, this has given the public open access to approximately 865,000 hectares (6.5% of the country) over mountain, moor, heath and down.

The Trustees of the Clinton Devon Estates agreed that the revocation of the 1925 Act Deed was appropriate as it would place all of the heaths under the CROW Act. This has moved the management of the heaths for recreation into step with modern legislation and provides consistency with other open access areas in Devon and England.

The CROW Act also assists the East Devon Pebblebed Heath Conservation Trust in the management of the heaths for conservation by providing a more flexible regime in which to carry out maintenance work as required by the management agreement with Natural England.

What can I do on the heaths under CROW?

Most recreational activities that are carried out on foot, such as walking, bird-watching, climbing and running will still be permitted on the heaths.

What can't I do on the heaths under CROW?

Camping, cycling, horse riding, motor sports and the driving of any vehicle other than a mobility scooter or buggy is not permitted under the CROW Act. Likewise participation in organised games and sports, or in activities organised or undertaken for a commercial purpose, is not permitted by the new rights.

However some of these activities maybe permitted by the landowner. Clinton Devon Estates have agreed to take the following response to the activities listed below:

Walkers

Individuals may walk on the heaths on foot and enjoy this unique landscape and habitat as they have done for many generations.

Dog Walkers

You can continue to enjoy walking with your dog on the heaths. However, between the 1st March and the 31st July in each year all dogs must be kept on short leads (2m) so as not disturb the ground nesting birds which are intrinsic to the SSSI, SPA and SAC designations. In the vicinity of livestock dogs must also be kept on leads.

Cyclists and horse riders

Horse-riders and cyclists will continue to have the legal right to ride along public bridleways that cross access land, but have no general right of access to areas of open country or registered common land. However, Clinton Devon Estates have applied to the Access Authority, Devon County Council to give a general permission for **individual** horse riders and cyclists to use the heaths, so long as the user is acting in accordance with the CROW Act legislation.

Are organised events permitted?

The public has no right to use the heaths for commercial activities; this includes clubs, livery, riding stables, charities; however these can be individually licensed by the East Devon Pebblebed Heath Conservation Trust on behalf of Clinton Devon Estates.

Are vehicles permitted on the heaths?

Under the 1925 Act vehicles were not permitted on the heaths, under the CROW legislation this remains the same. Vehicles can only use the public roads, unless permission is granted by the East DPH Con Trust.

How will the CROW act affect the management of the heaths?

Throughout the year the Heathland Wardens carry out work on the heaths under the guidance of Natural England and in accordance with their management plan. The CROW Act will enable certain areas of the heaths to be closed to allow specific work to be executed safely with out public disturbance. Any area can be restricted to the public for a period of up to 28 days, so long as the local access authority is informed. It is unlikely that this procedure will be invoked regularly.

The heaths can also be closed for up to six months for specific land management issues under the direction of the local access authority. Although this is unlikely to be an exercised right by the Estate it may be a necessary tool to assist in the heathland management.

How will I know what to do?

In each of the eleven car parks on the heaths there are notice boards informing you of the permitted activities, please read these carefully. Our website www.pebblebedheaths.org.uk will also provide up to date information on the activities on the heaths and any restrictions made due to management work for very specific areas or as a result of unforeseen events.

We are looking forward to working with our partners to implement this new legislation to help develop and improve both the recreational benefits the heaths bring as well and the biodiversity objectives of this unique landscape.

Clinton Devon Estates in partnership with



www.pebblebedheaths.org.uk