CORNWALL COUNCIL

CORNWALL COUNTRYSIDE ACCESS FORUM

MINUTES of a Meeting of the Cornwall Countryside Access Forum held at Trelawny Room, Cornwall Council, County Hall, Truro, TR1 3AY on Tuesday 24 January 2012 commencing at 2.00 pm.

Present:-	James Scobie (Chairman) Julie Bate (Vice-Chair) Gill Derryman, Terry Faull, Chris Ferguson, Nicholas Jeans, Jane Kiely, Councillor Lugg, Robin Moore, Robert Osborne, Councillor Paynter, Councillor Shakerley, Joy Thomas, Patricia Thomas, Duncan Thurnell-Read, Peter Tunstall-Behrens and Jeremy Varcoe.
Also in attendance:-	Rowena Brebner – Democratic Services Officer Emma Coad – Senior Democratic Services Officer Mike Eastwood – Countryside Access Team Leader.
Apologies for absence:-	Adrian Bigg, Councillor German and Roger James.

INTRODUCTION AND WELCOME
(Agenda No. 1)

CAF/52 The Chairman welcomed everybody to the meeting.

DECLARATIONS OF INTEREST - NOT ALREADY DECLARED
(Agenda No. 3)

CAF/53 In accordance with the Council's Code of Conduct:-

i) Councillor Shakerley declared a personal interest in Agenda item 12 due to membership of the East Cornwall Local Action Group.
ii) Councillor Lugg declared a personal interest in Agenda item 12 due to membership of the East Cornwall Local Action Group.

MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2011
(Agenda No. 4)

CAF/54 It was moved by Duncan Thurnell-Read, seconded by Chris Ferguson and

RESOLVED that the minutes of the meeting of the Cornwall Countryside Access Forum held on 22 November 2011 were correctly recorded and that they be signed by the Chairman.

MATTERS ARISING OTHER THAN ON THE AGENDA
(Agenda No. 5)

i) CAF/55 CAF/40 – Independent Panel on Forestry – the Forum noted that the progress report had been circulated to them recently.

ii) CAF/40 – Local Nature Partnership progress – the Chairman sought a member of the Forum to provisionally volunteer as representative to sit on the LNP when it was established. Terry Faull put his name forward as a provisional volunteer and Duncan Thurnell Read agreed to act as provisional reserve volunteer.

iii) CAF/50 – Moorland Access Working Group – the Forum noted that the group had recently met.

CHAIRMAN'S ANNOUNCEMENTS
(Agenda No. 6)

CAF/56 The Chairman made the following announcements:-

i) Draft response to consultation on Cornwall Council's Preferred Approach for the Cornwall Core Strategy
The Forum considered the draft response to the above consultation which had been prepared by the Chairman and for which ratification was sought.

During discussion reference was made to the following issues and following detailed consideration, the following response was suggested:-

'Our main comment is that access to the countryside does not feature significantly in the proposals and we consider that the following policies could be proposed for inclusion in the strategic policy document -

i) To ensure that the integrity of existing Public Rights of Way are protected where ever possible when considering applications for permission to develop. All Applicants should be required to give full details of all Public Rights of Way affected by the development together with detailed proposals of any changes desired. Failure to comply should render the application invalid.
ii) Support should be given for appropriate extinguishment or replacement or diversion of existing Public Rights of Way where these are necessary for permitted development to take place
iii) The Council should seek opportunities through development proposals to resolve existing errors and anomalies in the Definitive Map and Statement of Rights of Way

iv) The Council should seek opportunities in line with existing Council policies (including LTP and CCAS) to improve the existing network of Rights of Way. This will include creating Public Rights of Way that add value to the network by creation agreements with developers and should also include creation of new sections of Multi Use Trails (ways for walkers, horse-riders and cyclists) where appropriate, by creation agreement or by permission of the owner of the land.

v) The Council should identify suitable surface treatments, furniture styles and specifications to assist developers. This will form the blueprint for works by developers and mitigate maintenance costs for the authority in the longer term. Specifications should reflect local character and identity and seek to strengthen the distinctiveness of the path network.

vi) Opportunities to link urban areas through the Rights of Way network with minor and major settlements should be made wherever possible.

vii) The Council should consult with the Cornwall Countryside Access Forum on all of these matters.

viii) The Council should seek every opportunity to make Section 106 or similar agreements with developers, providing funding for the improvement and where appropriate creation and maintenance of Public Rights of Way in the vicinity of the development. This will provide occupants of the development with good access and exercise without vehicle use benefitting their health and the environment.'

It was moved by Councillor Shakerley, seconded by Nick Jeans and

RESOLVED that the above response be ratified as the formal views of the Forum and submitted to Cornwall Council and Chairman of the Cabinet - Planning Policy Advisory Panel.

ii) <u>Cornwall Council Elected Members and Officers</u>
The Chairman advised that he had asked the Countryside Access Team Leader for a responsibility chart to advise Forum members.

iii) <u>Natural England Southern Area LAF conference in Bristol on 6th March 2012</u>
The Chairman advised that he would be attending the above conference.

iv) <u>Independent Panel on Forestry – interim report</u>
The Chairman advised that the final report would be available in Spring 2012.

v) Developing Local Paths
The Chairman advised that Natural England planned to start its 2 year programme of developing local paths in April. This would enable local community partnerships to bid for central funds to develop and enhance local public paths and to offer a Rights of Way network with more appeal through better support for services such as shops, pubs, hotel a, B&B and equestrian businesses.

vi) Natural England – considering the dedication under section 16 of the CRoW Act 2000 of some National Nature Reserves
The Chairman advised that only about two thirds of these were covered under open access at the present time.

vii) National Trails – future Natural England delivery models
The Chairman advised that Natural England were working on future delivery models for national trails.

viii) 1SW cycle project re Lanhydrock and Cardinham area
The Chairman advised that the public consultation had taken place without us being asked to respond. He had discussed this with Angela Proctor and the results of this consultation would be available soon. He had asked for a copy of the results when available and that the Forum be treated as a stakeholder. They hoped to submit a planning application in May/June and that the work would be completed in about two years.

SITE VISIT 22 NOVEMBER 2011 - DISCUSSION
(Agenda No. 7)

CAF/57 This item had been deferred at the previous meeting when a site visit had been held in the morning. The site visit was an opportunity for the Forum to visit the Wheal Martyn Museum and walk around the adjacent trails.

Members commented that they had found the site visit very interesting and hoped there would be possibilities for increasing awareness of its existence. It was also noted that there would be significant benefits to users if the trails could be better linked to each other.

DEDICATING AND CREATING PUBLIC RIGHTS OF WAY
(Agenda No. 8)

CAF/58 The Forum noted the report of the Countryside Access Team Leader relating to dedicating and creating Public Rights of Way.

THE RAMBLERS 1ST MYSTERY WALKER REPORT - A SURVEY OF THE PATH NETWORK
(Agenda No. 9)

CAF/59 The Forum noted the Ramblers 1st Mystery Walker report which provided a survey of the Path Network. Jane Kiely had provided a written response to the report and advised the Forum that she had received an email from Graham Ronan on behalf of the Ramblers thanking Cornwall Council officers and Linda Holloway, Senior Enforcement Officer in particular for assistance on the recent REACT (Ramblers Environmental Action Clearance Team) work.

During discussion reference was made to the following:-

1. It would be useful for the Council to state what it proposed to do and then report on work it had undertaken.
2. The Forum should be advising the Council of the importance of PRoW and ensuring it devoted adequate resources to the work.
3. It would be worth drawing this to the attention of the Portfolio holder and possibly as an item for consideration by one of the Council's Overview and Scrutiny Committees.
4. This was directly linked to progress in delivering the goals of the Countryside Access Strategy and that the Council had significant demands on its resources.

Following which it was moved by Duncan Thurnell Read, seconded by Jeremy Varcoe and

RESOLVED that the Chairman discuss the issues raised with Julian German, Portfolio holder.

CORNWALL COUNCIL COUNTRYSIDE ACCESS BUDGET AND BRIEFING - VERBAL UPDATE AT THE MEETING
(Agenda No. 10)

CAF/60 The Forum noted the update relating to the Countryside Access Budget as requested at the previous meeting *(Minute reference CAF/42 Revision of Cornwall Countryside Access Strategy – David Attwell refers)*. The Countryside Access Team Leader presented the report (copies of which were circulated at the meeting) making reference to the Countryside Access Budget, Flood Damaged Paths, Capital Programme and Small Grants Scheme.

The Chairman thanked the Countryside Access Team Leader and Principal Countryside Officer for the report.

REGIONAL CO-ORDINATOR AND HUDDLE
(Agenda No. 11)

CAF/61 The Chairman advised the Forum of the current position regarding the Regional Co-ordinator. Huddle now involved a 'Champion' and 2 other members from each Access Forum and he sought nominations for three volunteers to trial the system.

It was suggested that the Chairman write to the Minister stating concern that the present proposals would restrict the availability of information to LAF's.

Nominations were received in respect of the Chairman, Vice-Chairman and the Countryside Access Team Leader to trial the 'Huddle' system.

It was moved by Councillor Paynter, seconded by Jeremy Varcoe and

RESOLVED that the Chairman (James Scobie), Vice-Chairman (Julie Bate) and the Countryside Access Team Leader represent the Cornwall Countryside Access Forum and trial the Huddle system. Also that the Chairman writes to Richard Benyon MP, Parliamentary Under-Secretary for Natural Environment and Fisheries, as follows -
'The members of the Cornwall Countryside Access Forum have asked me to write to you.
At the end of March 2012 the English Local Access Forums will lose their regional co-ordinators and during these difficult economic times one can understand the thinking at Natural England behind this move.
However, to make the contribution of the Local Access Forums meaningful, we believe that it is essential that the volunteer, part time and unpaid members keep 'up to speed' with relevant events and information and our regional co-ordinators play an essential part in this. To provide only 3 members of each access forum with access to the proposed new Huddle system will be no proper substitute for the regional co-ordinators. It is our strongly held opinion that at the very least, all members of the Local Access Forums should have access to Huddle, but the best way to continue to ensure good value for money from Local Access Forums is to retain the regional co-ordinators as at present. We hope that it is not too late for this to be re-considered.'

POSSIBLE SMALL GRANTS SCHEME - JULIE BATE
(Agenda No. 12)

CAF/62 The Forum noted the report prepared by Julie Bate advising the progress made regarding the Possible Small Grants Scheme. A map of the proposed route was circulated at the meeting.

The Countryside Access Team Leader advised that work was ongoing on to develop a scheme and that it was anticipated that a bid Local Action Group funding might be made to set up the scheme. He would keep Julie informed regarding progress and Julie would continue to report back to the Forum.

The Chairman thanked Julie Bate, Jane Kiely and the Countryside Access Team Leader for their work on the scheme.

DRAFT CORNWALL MARITIME STRATEGY CONSULTATION
(Agenda No. 13)

CAF/63 The Forum considered the draft response to the above consultation which had been prepared by the Chairman and for which ratification was sought.

It was moved by Jane Kiely, seconded by Jeremy Varcoe and

RESOLVED that the response be ratified as the formal views of the Forum and submitted to Cornwall Council.

TRAC PROJECT UPDATE - VERBAL UPDATE AT THE MEETING
(Agenda No. 14)

CAF/64 The Countryside Access Team Leader advised that the Strategic Waste and Landscape Manager had intended to be at the meeting to give an update and apologised for his absence. Concern at the lack of progress being made had been expressed by a Forum member and it looked likely that some funding may be withdrawn from the project.

Councillor Paynter, Electoral Division Member advised that he had Chaired various meetings in an attempt to resolve issues between landowners and the Directors of the Steam Railway company. He was hopeful it could be resolved, but this had not yet been achieved.

The Countryside Access Team Leader advised that he would contact the Strategic Waste and Landscape Manager and request that the Forum receive a written update report on the situation at the earliest opportunity.

It was suggested that the Chairman write to the Strategic Waste and Landscape Manager and the Assistant Head of Environment & Waste Management expressing concern at the lack of progress of the project.

Following this, the Chairman and Councillor Paynter agreed to seek a joint meeting with the Portfolio Holder to express concern at the lack of progress of this project.

CORRESPONDENCE TO THE FORUM
(Agenda No. 15)

CAF/65 The Chairman identified the following correspondence that had been received since the September meeting:-

1 Commons Act 2006 Application Ref 2776 – The Memorial Works, Tremar Coombe (circulated 5.10.11)
2 Cornwall AONB News: Tir Teg - Oct 2011 (circulated 17.10.11)
3 Natural England MENE (Monitoring Engagement with the Natural Environment) report 2011 (circulated 19.10.11)
4 DEFRA - Fourth meeting of the Independent Panel on Forestry (weblink circulated 19.10.11)
5 Notification of Restriction – CroW 2000 Ref 2010055500 (circulated 20 October 2011)
6 Notification of Restriction – CroW Ref 2010055500 (circulated 2.11.11)
7 Benefits of Horse Riding (BHS) (circulated 3.11.11)
8 NE - Cornwall Liaison Group meeting notes - 11 Oct (circulated 4.11.11)
9 Notice of a Proposal to Correct an Ownership section ref 711 (circulated 7.11.11)
10 Withdrawal of restriction under an outline direction – case 2011086077 (circulated 9.11.11)
11 Notes of the SW LAF Meeting held 9.11.11 (circulated 14.11.11)
12 Role Description for Huddle Champion (circulated 14.11.11)
13 The Commons Act 2006 Proposal 4 - Gwithian Towans (circulated 16.11.11)
14 The future of the post of South West Regional LAF Coordinator – draft letter from CM (circulated 21.11.11)
15 NE – Visits to the Natural Environment – Monthly update (circulated 21.11.11)
16 Notification of restriction under an outline direction - case 2011106154 (circulated 21.11.11)
17 Application 2783 Notice for the re-registration of common land – Wheal Baddon (circulated 21.11.11)
18 Natural England Board meeting papers (circulated 30.11.11)
19 Dedication of National Nature Reserves (circulated 30.11.11)
20 Paths for Communities Scheme announced (circulated 30.11.11)
21 Natural England Stakeholder working group - unrecorded rights (circulated 30.11.11)
22 Withdrawal of restriction to Open Access land - Direction case number 2010055500. Halvana Central (circulated 2.12.11)
23 The Commons Act 2006 amendment to Proposal 4 – Gwithian Towans (circulated 5.12.11)
24 Notification of s22 discretionary '28 day' restrictions - 2010115745 & 2011126204 (circulated 7.12.11)
25 Independent Panel on Forestry Interim Report (circulated 8.12.11)
26 The Independent Panel on Forestry - Newsletter issue 2 (circulated 12.12.11)
27 The Commons Act 2006 - 2780 - Application for a new Town Green, Launceston (circulated 22.12.11)
28 Independent Panel on Forestry - Notes of 17 November 2011 meeting (circulated 6.1.12)
29 Newsletter - Countryside Mobility South West (circulated 6.1.12)

30 Natural England 'Green Connect SW flier (circulated 12.1.12)
31 Notes of Independent Forestry Panel meeting held on 21 December 2011 (circulated 16.1.12)
32 Notification of restriction under an outline direction given under the Countryside and Rights of Way Act 2000 ref 20111106133 Lower Helland (circulated 18.1.12)

WORKING GROUPS
(Agenda No. 16)

CAF/66 The following updates were received:-

COASTAL ACCESS WORKING GROUP - PETER TUNSTALL-BEHRENS
(Agenda No. 16.1)

CAF/67 Peter Tunstall-Behrens advised that a response was still awaited from the Minister regarding the Appeals made relating to the Weymouth area. He further advised that he was concerned that the Draft Cornwall Maritime Strategy Consultation referred to a Cornwall Maritime Forum which could be based on paid membership.

MOORLAND ACCESS WORKING GROUP - JULIE BATE
(Agenda No. 16.2)

CAF/68 Julie Bate advised that the group had met on Bodmin Moor with Jill Goodman to discuss the issues she raised in her report. Jill felt that access to CROW Act land was becoming increasingly difficult due to fences being erected and gates that were formerly 'open' being wired up.

The group suggested that the council need to visit the landowners in question to see if the situation can be improved and a draft letter to the council be prepared for consideration at the next meeting to urge the council to look into these issues.

It was also suggested that Mr Rupert Hanbury-Tenison be invited to attend a future meeting and put forward his views.

Julie Bate further advised that Mr Cooke had been invited to attend a site meeting on Carnyorth Moor but at short notice another member of the Save Penwith Moors Action Group who was due attend said he couldn't and Mr Cooke asked for the meeting to be postponed.

OS MAPPING WORKING GROUP - ADRIAN BIGG
(Agenda No. 16.3)

CAF/69 The Chairman advised that Adrian Bigg was unwell and was asked to clarify if there was a need to continue with the working group.

ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS OF URGENCY

(Agenda No. 17)

CAF/70 Future Meeting Dates - 20 March 2012
The Chairman advised of the proposed arrangements for the visit to River Fal on 20 March 2012 as follows:-

10am Forum meeting *(note time change)* - meet at the courtyard room at Trelissick Garden, Feock, near Truro, TR3 6QL.

Noon – pasties etc and then walk down to the Trelissick pontoon for boat trip.

1pm to 4pm take a boat, provided by Falriverlinks, to view the shore of the Fal. Sail from and return to the Trelissick pontoon. Tim Light, Peter Mansfield chair of AONB and Paul Walton the area manager of the NT to provide commentary.

The meeting ended at 5.05 pm.

[The agenda and reports relating to the items referred to above are attached to the signed copy of the Minutes].