

CORNWALL COUNTRYSIDE ACCESS FORUM

MINUTES of a Meeting of the Cornwall Countryside Access Forum held at Trelawney Room, Cornwall Council, County Hall, Truro, TR1 3AY on Tuesday 25 May 2010 commencing at 2.00 pm.

Present:- Graham Ronan (Chairman)
 James Scobie (Vice-Chairman)

Robert Alderton, Julie Bate, Adrian Bigg, Terry Faull,
Councillor German, Adam Hedley, Roger James, Jane Kiely,
Councillor Lugg, Councillor Shakerley, Peter Tunstall-
Behrens and Jeremy Varcoe.

Also in Steve Crummay – Living Environment Manager
attendance:- Mike Eastwood – Programmes Manager
 Rowena Brebner – Democratic Services Officer

Apologies for Gill Derryman, Robin Moore and Councillor Paynter.
absence:-

INTRODUCTION AND WELCOME

(Agenda No. 1)

CAF/79 The Chairman welcomed everybody to the meeting.

DECLARATIONS OF INTEREST - NOT ALREADY DECLARED

(Agenda No. 3)

CAF/80 Julie Bate declared that she was a family member of the RSPB.

MINUTES OF THE MEETING HELD ON 17 MARCH 2010

(Agenda No. 4)

CAF/81 It was moved by Jane Kiely, seconded by Councillor Lugg and

RESOLVED that the minutes of the meeting of the Cornwall Countryside Access Forum held on 17 March 2010 were correctly recorded and that they be signed by the Chairman subject to the following amendments:-

- i) Minute Number CAF/66 Matters Arising other than on the Agenda

Indentation of text within discussion point c) from item CAF/55 Landscape Character Project – ‘Cornish Character’
For sub-heading c) funding from other organisations...in previous projects undertaken;

- ii) Minute Number CAF72 Working Groups – Disability Access Working Group – Update

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Deletion of Sub-heading 2) Initial Closed Consultation for Statutory Review of CROW Access restriction Case 2005030032 (Natural England) and insertion of text above to read 'Arising from the above, Adam Hedley advised...views of the Forum'

MATTERS ARISING OTHER THAN ON THE AGENDA

(Agenda No. 5)

CAF/82

- a) CAF/67 – Chairman's Announcements
c) DEFRA Consultation – Waterways for Everyone
The Chairman advised that a response to the above consultation would be submitted in due course;
- b) CAF/67 – Chairman's Announcements
d) The Farmer and the Highway
The Secretary's Representative agreed to arrange the circulation of the above leaflet;
- c) CAF/69 – Presentation – Local Transport Plan – Adrian Welsh
The Chairman advised that a successful meeting had been held with himself, the Vice Chairman of the CCAF and Cabinet Portfolio holders for Transportation and the Environment CC Hicks and CC German on 24 May.
- d) CAF/70 – Correspondence to the Forum
Items 9, 10 and 11 – Notification of Restrictions (Natural England)
The Chairman advised that following correspondence with Natural England, reasons for restrictions were now being included in notifications.
- e) CAF/71 – Working Groups – Moorland Access Working Group
The Forum noted that the Moorland Access Working Group had not met since the last meeting.
- f) CAF/75 – Resource and Funding Suggestions for Countryside Access
The Chairman advised that a letter had been received from Ordnance Survey in response to a letter sent by the Forum requesting clarification on the criteria used for the setting of ORPA's within Ordnance Survey (OS) Maps. It was largely agreed that this response had not been particularly helpful in obtaining this information.
During discussion a number of issues were raised including:-
 - i) Devon County Council had provided OS all the necessary descriptions for the maps

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- ii) Consultation on changes to the Definitive Map
- iii) Guidance contained within the 'Stepping Forward' report on how UCR's and ORPA's may be treated in a RoW framework
- iv) The inclusion of some routes on OS maps that lead nowhere
- v) The need to ensure quality and accurate information for countryside users

Following which it was considered that a Working Group comprising Adrian Bigg, Adam Hedley, Roger James, Jane Kiely and Jim Scobie, should be set up to investigate the map-marking situation with other West Country Local Access Forums with a view to producing a advisory document for submission to Ordnance Survey.

It was moved by Adam Hedley, seconded by Peter Tunstall-Behrens and

RESOLVED that a task and finish Map Marking Working Group comprising Adrian Bigg, Adam Hedley, Roger James, Jane Kiely and Jim Scobie be set up to investigate the map-marking issues with other West Country Local Access Forums with a view to producing a advisory document for submission to Ordnance Survey.

Arising from the above and in response to a question by a member, the Programmes Manager agreed to provide the contact details for Ordnance Survey.

- g) CAF/76 – Annual Recruitment 2010
The Chairman advised that a number of interviews had been held and the last interview would take place on Friday 28 May. Appointments would be made and applicants would be notified of the outcome as soon as possible.

CHAIRMAN'S ANNOUNCEMENTS

(Agenda No. 6)

CAF/83 The Chairman had made his announcements under the previous agenda item (c and g).

UPDATE BY JIM PASCOE - OFF-ROAD CYCLING PROJECT

(Agenda No. 7)

CAF/84 The Chairman welcomed to the meeting Jim Pascoe, the recently appointed Project Manager. Mr Pascoe thanked the Forum for the opportunity to attend the meeting and proceeded to outline:-

- a) Having been given an expansive brief from Paul Hawkins, he had been in post for 2 months
- b) To briefly re-cap; the 1SW project was a Rural Development Programme for England (RDPE) sponsored initiative to

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encourage family cycling/walking in 6 hub sites. 4 were situated on lake sites

- c) The Cornwall Hub site was based at Cardinham/Lanhydrock and the two lake sites were based at Tamar and Siblyback
- d) £4.8m had been received from the RDPE together with a further £2m match funding
- e) The North Cornwall Project involved shared landowners – the Forestry Commission and the National Trust
- f) Soil surveys were currently being undertaken and liaison with the Emma Rojano, the Council's Sustainable Access Officer was taking place to incorporate a larger project for Bodmin
- g) It was anticipated that the trail designers would be going to tender at the end of the month
- h) Negotiations were taking place with the National Trust as well as with the Bodmin and Wenford Steam Railway with a view to improving access for road and rail links
- i) A further update would be given to the Forum in a few months

During discussion, a number of issues were raised including:-

- a) The number of RoW involved in the project
- b) The routes would be graded green to red
- c) The need to maintain the trails once completed
- d) Some aspects of the routes would be suitable for horses
- e) The need to ensure adequate parking facilities
- f) Up to 8km of the trails would be suitable for disabled people to use 'tramper buggies' which could be booked in advance
- g) Routes would be way marked clearly for different users

The Chairman thanked Mr Pascoe for his presentation.

PRESENTATION - OFF ROAD MOTORCYCLE PROJECT (HAYLEY FERRIS)

(Agenda No. 8)

CAF/85 The Chairman welcomed to the meeting Hayley Ferris, Devon and Cornwall Police Constabulary. Ms Ferris thanked the Forum for the opportunity to attend and proceeded to outline:-

- a) The background to the project – problematic, illegal use of off-road motorcycles (eg. on footpaths, bridleways) and the subsequent issues faced by the police in trying to deal with this
- b) she had been working with Linda Holloway, the Council's Senior Enforcement Officer to look at ways to find a solution to the problem
- c) four main users that fit the category were identified as:-
 - 1. adults without young children using paths illegally either through lack of education, knowledge or regards
 - 2. young adults aged between 20 and 30 who went on the occasional off road excursion who had the correct off-road vehicles

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- 3. children who had parents present while they rode their vehicles
- 4. adults that didn't fit into the categories above
- d) other agencies had been involved in discussions regarding the problem eg the fire brigade, Autocycle Union and potential solutions had been considered
- e) a proposal to approve certain sites across the county for a period of 14 days per year which would give these users a network and circuit of routes for them to use. The circulation of sites would mean that the problem would not be left in one location for all of the time.
- f) Another aspect of the proposal was in educational programmes – younger riders tended to have vehicles that were potentially dangerous to ride due to their lack of money. Statistics showed that these road users had the highest death rate
- g) Colleges with facilities to teach mechanics had offered to assist with groups in ensuring motorbikes were fit for use, and could also act as intelligence gathering for the police
- h) The police officers involved in the project would also need adequate training so that all users of the countryside could enjoy and respect it – an understanding of leisure users 'code of conduct'
- i) Of course, there would always be those that ignored all of the above and the police would still need to set up a partnership of policing the sites and find solutions to 'contain and catch' those that continued to break the law through various methods including officers trained to work on the terrain on which these users roamed and work with the Council's enforcement officers as a partnership
- j) There was also a need to protect the green areas/spaces within the countryside
- k) Ideas to take the project forward were welcomed

During discussion, a number of issues were raised including:-

- i) A good deal of work was currently being done in the Luxulyan/Falmouth area
- ii) People could ring the police with information regarding problematic incidents/individuals which could then be used (if enough evidence was acquired/substantial enough) in Section 59 enforcement
- iii) The need for the police to work with a wide range of users including Kernow trail riders club, the NFU, 'GLEAM', Trail riders fellowship etc
- iv) Whether there was a well hidden location that might be suitable for trail users

The Chairman thanked Ms Ferris for her presentation and requested that she attend a future meeting when further information regarding the project was available.

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The Living Environment Services Manager advised that the Council was committed to finding solutions in dealing with the issues discussed.

CORRESPONDENCE TO THE FORUM

(Agenda No. 9)

CAF/86 The Chairman identified the following correspondence that had been received since the last meeting:-

- 1 Countryside Mobility SW project update – forwarded to the CCAF Access and Disability working group members on 16.3.10
- 2 Natural England 'Walk this Way' Walking for Health (circulated 17.3.10 – 3*)
- 3 Cornwall AONB 'Tir Teg' Newsletter (circulated 19.3.10 – 2*)
- 4 Footbridge information – countryside furniture (circulated 19.3.10 – 3*)
- 5 SW Regional Meeting – 20 October, Taunton (circulated 23.3.10)
- 6 Feedback on Shoreline Management Plans from J Varcoe (circulated 23.3.10 – 2*)
- 7 Green Space South West (GSSW) newsletter March 2010 (circulated 23.3.10 – 1*)
- 8 Peak District parkland under threat from the rise of the 4 x 4s (circulated 23.3.10 – 3*)
- 9 Natural England Livestock and Access – 15.1.10 mtg notes (circulated 23.3.10 – 4*)
- 10 DEFRA's Access Newsletter Issue 44 (circulated 23.3.10 – 5*)
- 11 Value for Money – Economic Assessment of Walking and Cycling (circulated 23.3.10 – 3*)
- 12 Response to Peak District parkland email by Adam Hedley (circulated 25.3.10 – 3*)
- 13 Natural England's Coastal Access Scheme and Consultation Summary (circulated 26.3.10 – 4*)
- 14 Natural England's 'Stepping Forward' Report (circulated 26.3.10 – 4*)
- 15 DEFRA – Consultation on NE Route (circulated 30.3.10 – 4*)
- 16 Stakeholder Group Rights of Way (circulated 30.3.10 – 4*)
- 17 Letter to LAF's (circulated 30.3.10 – 3* rating)
- 18 DEFRA's Access Newsletter Issue 45 (circulated 6.4.10 – 4* rating)
- 19 Marine Management Organisation establishment (circulated 6.4.10 – 2*)
- 20 Consultation paper on a new Planning Policy Statement (circulated 6.4.10 – 4*)
- 21 Natural England organisation changes for the SW (circulated 6.4.10 – 2*)
- 22 DEFRA's Coastal Change team – Information for LAF's (circulated 15.4.10 – 3*)
- 23 Natural England – Initial Consultation for Statutory Review of CROW Access Restriction Case 2005030028 (circulated 20.4.10 – 3*)

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- 24 Natural England – Notification of restriction - Ref 2009020082 (circulated 26.4.10 – 2*)
- 25 Ordnance Survey - Response letter re ORPA's (circulated 30.4.10)
- 26 Natural England – Notification of restriction – Ref 2008120059 (circulated 5.5.10 – 2*)
- 27 Link 'Walk to School' information (circulated 7.5.10 – 2*)
- 28 Commons Registration Office – The Commons Act 2006 – Ref number 2755 (circulated 11.5.10 3*)
- 29 Green Infrastructure - (circulated 12.5.10 – 3*)
- 30 BBC link – Health Benefits (circulated 12.5.10 – 2*)
- 31 Access for All – Dartmoor paper on Gender and Disability (circulated 12.5.10 – 3*)

UPDATE ON THE STRATEGIC REVIEW AND PUBLIC RIGHTS OF WAY
(Agenda No. 10)

CAF/87 The Committee noted the report of the Director of Environment Services relating to the proposed Strategic Review of Countryside Access and Public Rights of Way. The Living Environment Manager advised that Tom Fletcher, Principal Access and Development Officer would be project managing and co-ordinating the review. There was strong support for the project from the Environment and Economy Overview and Scrutiny Committee who would monitor the work. The Forum was asked to note that parts of the Economy, Planning and Environment directorate would be undergoing restructuring and it was essential that decisions made as part of the review, could be delivered.

Councillor German advised that there was strong support from Members for the above project and that the funding would come from within his and Councillor Hicks' portfolio. It was important for the Forum to be mindful of the budget process for next year. It was likely that the budget would be cut by 8%

During discussion, a number of issues were raised including:-

- a) the need for the Council to focus its available resources on areas of priority
- b) the role of the Forum in advising the Council to set its priorities
- c) the need to be realistic in terms of what the Council could achieve
- d) the role of sponsorship in tackling RoW projects
- e) the need for the Council to focus on making savings

In response to which the Programmes Manager advised that as part of the review, consultation would take place with the Forum.

FUTURE OF ENGLISH ACCESS FORUM
(Agenda No. 11)

CAF/88 The Chairman advised that he had received correspondence from the English Access Forum which he read at the meeting. A meeting

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was due to be held on Taunton on 26 May 2010 regarding a review of the English Access Forum and more information would be available following this.

Views from Local Access Forums were being sought via the Regional Co-ordinator Hilary Winter and an item would be tabled at the July AGM to consolidate this Forum's response.

DRAFT ANNUAL REPORT 2009/2010

(Agenda No. 12)

CAF/89 The Forum considered the draft of the Annual Report which included the Forum's achievements over the last year, what it hoped to achieve in the next two years and also details on its current membership. The Programmes Manager welcomed comments from Members by early June.

Following a detailed discussion it was agreed that the following information be contained for each Forum member within the Annual Report:-

Name, Area (eg Wadebridge), Telephone number, Email address and details of any relevant Interests

NATURAL ENGLAND'S 'STEPPING FORWARD' REPORT

(Agenda No. 13)

CAF/90 The Forum noted the Natural England commissioned report entitled 'Stepping Forward'.

CONSULTATION PAPER ON A NEW PLANNING POLICY

(Agenda No. 14)

CAF/91 The Forum considered the Communities and Local Government consultation paper on a new Planning Policy Statement: Planning for a Natural and Healthy Environment. The deadline for responses to the consultation was 1 June 2010. Jim Scobie had prepared suggested notes, copies of which were circulated at the meeting.

During discussion, a number of issues were raised including:-

- a) the consultation paper had been badly written
- b) the views contained within the consultation paper were those of the previous Government and therefore would be best if it was re-written and a fresh consultation undertaken
- c) lack of clarity in policies NE6 and NE7

following which it was moved by Graham Ronan, seconded by Councillor Shakerley and

RESOLVED that the Forum responds to the consultation stating that:-

- a) it represents the previous Government's view and therefore should be re-written and freshly consulted upon;
- b) information contained within the document was unclear, in particular policies NE6 (in which clarification was sought on whether this policy was specific to public rights of way and/or it included privately owned rights of way) and NE7 (uncertainty over any changes of use of land)
- c) considering the inclusion of NE6 and NE7, which deal directly with Rights of Way and Public Access, it would appear remiss not to include Local Access Forums on the list of Consultees;
- d) therefore, the Forum's view was that the document should be re-appraised and the consultation process recommenced thereafter.

Arising from the above, the Living Environment Manager advised that the Council would be submitting its own response to the consultation.

FEEDBACK FROM WORKING GROUPS

(Agenda No. 15)

CAF/92 The Forum considered the following information relating to the working groups:-

DISABILITY ACCESS WORKING GROUP

(Agenda No. 15.1)

CAF/93 Adam Hedley advised that he had not arranged a meeting of the group recently. He had received an email from Steve Wilson which detailed some of the successes that the group had achieved although there was still work to be done and that the Council should incorporate disabled access where appropriate.

The Living Environment Manager thanked the group for the work they had achieved. The Council's new full changing facility for less able users which included a hoist would be opened on 23 June 2010.

The Chairman thanked Adam for all his work within the group.

COASTAL ACCESS WORKING GROUP

(Agenda No. 15.2)

CAF/94 Jim Scobie advised that the Coastal Access Working group had met on 22 April 2010 to discuss the response to the Defra consultation on proposed regulations setting out procedures for making representations about and objections to Natural England's Coastal Access Reports. The suggested response had been circulated prior to the meeting.

The Chairman thanked the working group for their work.

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It was moved by Jane Kiely, seconded by Peter Tunstall-Behrens and

RESOLVED that the response of the working group be ratified as the formal views of the Forum and submitted to Defra subject to the following amendments:-

Chapter 2, Question 3, the inclusion of Parish Councils

Chapter 4, Question 8, Paragraph 4.12 the deletion of the word professional from the last sentence

Chapter 7, Question 14a, the insertion of the word 'affordable' before the word 'broadband'

MOORLAND ACCESS WORKING GROUP

(Agenda No. 15.3)

CAF/95 The Forum noted that the working group had not met and some members of the group felt that its remit had yet to be established.

The Secretary's Representative agreed to contact Julie Dowton and ascertain if she was happy to act as Chairman of this group.

WORK PROGRAMME

(Agenda No. 16)

CAF/96 The Forum noted the work programme which had been circulated prior to the meeting.

DATE, TIME AND VENUE OF FUTURE MEETINGS

(Agenda No. 17)

CAF/97 The Forum noted the dates and venues for future meetings which had been circulated previously.

The meeting ended at 5.23 pm.

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