

CORNWALL COUNCIL

CORNWALL COUNTRYSIDE ACCESS FORUM

MINUTES of a Meeting of the Cornwall Countryside Access Forum held at Committee Room (GW02), One Stop Shop, Dolcoath Ave, Camborne, TR14 8SX on Tuesday 21 May 2013 commencing at 2.00 pm.

Present:-	James Scobie (Chairman)
Members:	Julie Bate (Vice Chairman/Chairman, Moorland and Open Access Working Group)
	Adrian Bigg (Representative, Landowners/Managers Group/Chairman, Rights of Way and Definitive Map Working Group)
	Gillian Derryman (Representative, Landowners/Managers Group)
	Terry Faull (Representative, Others Group)
	Roger James (Representative, Users Group)
	Nicholas Jeans (Representative, Landowners/Managers Group)
	Jane Keily (Representative, Users Group)
	Robert Osborne (Representative, Users Group)
	Joy Thomas (Representative, Users Group)
	Peter Tunstall-Behrens (Representative, Landowners/Managers Group/Chairman, Coastal Access Working Group)
	Jeremy Varcoe CMG (Representative, Landowners/Managers Group)
Also in attendance:-	Lynne Beardsmore (Democratic Services Officer, Cornwall Council)
	Mike Eastwood (Countryside Access Team Leader, Cornwall Council)
	Alan Jeffrey (Environmental Project Officer, Cornwall Council)
	Jon James (Environment Manager, Cornwall Council)
	Steve Wood (Environmental Projects Team Leader, Cornwall Council)
Apologies for absence:-	Peter Edwards (Representative, Others Group), Robert Fraser (Representative, Others Group) and Patricia Thomas (Representative, Landowners/Managers Group)

INTRODUCTION AND WELCOME

(Agenda No. 1)

CAF/83 The Chairman welcomed everyone to the meeting.

DECLARATIONS OF INTEREST

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(Agenda No. 3)

CAF/84 In accordance with paragraph 4.8 of the Cornwall Countryside Access Forum's Constitution, the Chairman declared that he had become a Member of Perranuthnoe Parish Council.

MINUTES OF THE MEETING HELD ON 19 MARCH 2013

(Agenda No. 4)

CAF/85 It was moved by Robert Osborne (Representative, Users Group), seconded by Roger James (Representative, Users Group), and

RESOLVED That the Minutes of the meeting of the Cornwall Countryside Access Forum held on 19 March 2013 were correctly recorded and that they be signed by the Chairman.

MATTERS ARISING (OTHER THAN ON THE AGENDA)

(Agenda No. 5)

CAF/86 The Forum gave consideration to the following matters:

- (i) Visit to National Trust Estate, Penrose, Penzance, 21 May 2013
(Minute No. CAF/69 (ii))

Mr A Bigg (Representative, Landowners/Managers Group) highlighted the proposed changes to existing and proposed new Public Rights of Way through the Penrose estate, including the introduction of bridleways, which would possibly be achieved earlier than would otherwise have been the case due to the grant funding hopefully secured. He added that it was unique for the National Trust to have made new Definitive Rights of Way, which was a very positive move.

Upon consideration of the matter, it was

RESOLVED That the information be noted.

- (ii) Local Access Forum (LAF) National Conference in Sheffield, 27 February 2013
(Minute No. CAF/74)

Following consideration of Resolution 2 to Minute No. CAF/74 (Local Access Forum (LAF) National Conference in Sheffield, 27 February 2013), the role of a potential representative from the Cornwall Countryside Access Forum on the Health and Wellbeing Board, it was

RESOLVED That representation from the Cornwall Countryside Access Forum to the newly formalised Health and Wellbeing Board be reviewed in May 2014.

CHAIRMAN'S ANNOUNCEMENTS

(Agenda No. 6)

CAF/87 The Chairman made the following announcements:

(i) Forum Member Resignation

Chris Ferguson (Representative, Users Group) had resigned from the Forum due to work commitments. A letter of thanks for his valuable contribution during his membership had been sent.

There were now 6 posts to be filled with effect from the AGM on 16 July 2013.

(ii) Footpath Maintenance and Improvements

Congratulations were given to the Ramblers Association for the excellent work currently being undertaken to provide maintenance and improvements to footpaths as part of the Ramblers Environmental Action Clearance Team (REACT) project that they were running as part of Cornwall Council.

It was intended to invite Mr R Fraser (Representative, Others Group and representative of the Ramblers Association) to give a presentation at a future meeting of the Forum.

(iii) Review of the Common Agricultural Policy (CAP) and new Environmental Land Management Schemes (ELM)

The Ramblers Association, British Mountaineering Council (BMC), British Horse Society (BHS) and Open Spaces Society (OSS) believed that the CAP and ELM schemes provided an opportunity to develop new programmes, including recreation, tourism and public access related measures. This would help improve the nation's access infrastructure and give a significant boost to rural growth and development, one of the primary objectives of the reform.

(iv) Regional Local Access Forum (LAF) Co-ordinator

There was sufficient funding to keep the current LAF co-ordinator in post for the current financial year.

(v) Growth and Infrastructure Act

The Growth and Infrastructure Act came into effect in April 2013. It would enable a Rights of Way Order to be considered alongside an application for planning consent, rather than afterwards, as was currently the case.

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It would also protect local communities' ability to determine what development would be appropriate in their areas, particularly by preventing village green applications overriding decisions made following local consultation on plans.

(vi) Cornwall and Isles of Scilly Environment Partnership (CioSEP)

The Chairman of CioSEP had now been chosen and an announcement of the successful applicant was expected soon. Members of the CioSEP Board, however, had not yet been appointed.

(vii) Cornwall Rural Highways Best Practice Consultation

The draft text for the Guide, approved by Cornwall Council, was now live on the internet. Final photographs and other illustrations had yet to be added. The Guide would be disseminated to Cornwall Council staff working in the areas of policy development, scheme designs, highways asset management, highway maintenance and highway development control.

Staff awareness sessions would take place to ensure that those who need to use the principles in their day to day work were aware of the best courses of action.

The Guide would be available on the Cornwall Council website for use by external organisations, such as parish councils and utility companies, which would also be made aware of the document's publication.

(viii) Policy and Legal Framework for Public Rights of Way

DEFRA was seeking legislative reform based on its consultation conducted in 2012, which itself was based on the Stakeholder Working Group recommendations.

If there was to be enabling legislation, it was likely that it would be announced in the near future.

(ix) Review of the Cornwall Countryside Access Forum (CCAF) Constitution

A review of the CCAF constitution was due to take place at a meeting to be held on 10 June 2013 between the Assistant Democratic Services Manager, Cornwall Council, the Environment Manager, Cornwall Council, the Countryside Access Team Leader, Cornwall Council, the Forum's Chairman and Vice Chairman and Terry Faull (Representative, Others Group).

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Outcomes from the meeting, including a possible reduction in the number of Forum meetings each year, would be reported to the Forum for consideration and approval.

Comments from Forum Members on any proposal to reduce the number of meetings held each year included:

- CCAF was a statutory consultee to a number of bodies, not just to Cornwall Council. Many matters put to the Forum required a response, often by a deadline. Fewer meetings risked this input being jeopardised;
- many Forum Members had long distances to travel to meetings and longer meetings would not be beneficial.

Following consideration of these matters, it was

RESOLVED That the information be noted.

ADDITIONAL POTENTIAL SOURCES OF INCOME FOR CORNWALL COUNCIL FOR USE ON COUNTRYSIDE ACCESS: POSSIBLE ASSISTANCE FROM THE FORUM TO CORNWALL COUNCIL - ENVIRONMENTAL PROJECT OFFICER, CORNWALL COUNCIL

(Agenda No. 7)

CAF/88 Consideration was given to a presentation in respect of additional potential sources of income for Cornwall Council for use on countryside access *[copy attached to the signed Minutes]* given by the Environmental Project Officer, Cornwall Council.

In response to comments and questions raised by Forum Members, the Environmental Project Officer, Cornwall Council, and Countryside Access Team Leader, Cornwall Council, confirmed that:

- (i) Convergence Funding was provided by Europe. There could potentially be an opportunity to tap into this via the Local Nature Partnership and/or Health and Wellbeing Board by way of promoting healthy lifestyles;
- (ii) Cornwall had an excellent model for Environmental volunteering, which could be used for other volunteering projects, such as the clearance and maintenance of beaches;
- (iii) Local Authorities had little opportunity to access private sector funding, due to their size. Community groups, however, were better placed to take advantage of this source of funding;
- (iv) Cornwall Council was in the process of reviewing Licence arrangements for private sector businesses running on Council beaches, such as surf schools, in order to maximise income;
- (v) Cornwall Council would be able to provide support and assistance for the Shevioc Bridge, particularly with

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- advice and signposting to potential funding sources. A new Community Partnership Officer had been appointed for the East of the County, who would be taking up her post in June, and she would be the point of contact for this;
- (vi) A number of Fora had set up Friends Groups, which provided a potential mechanism for funding applications;
- (vii) Torbay Council set up a separate Trust some years ago which enabled them to attract funding. However this was not an option Cornwall Council was considering at present;
- (viii) The following Members' comments were also acknowledged:
- A significant emphasis was placed on the attractions of the coast of Cornwall, but Cornwall also had much to offer inland as well, which was publicised to a much lesser degree;
 - as the Lottery Fund already supported Natural England by providing funds for moorlands, it did not consider other applications. However, Natural England did not use its funds for the creation and maintenance of moorland access.

Following consideration of the matter, it was

RESOLVED

1. That the information be noted;
2. That the formation of a friends group or an access leader group be explored and for the outcome to be reported to a future meeting of the Forum.

**DAMAGE TO RIGHTS OF WAY AND NATIONAL TRAILS -
COUNTRYSIDE ACCESS TEAM LEADER, CORNWALL COUNCIL**
(Agenda No. 8)

CAF/89 (This item was taken after Agenda No. 11 (Caradon Hill Project – Environmental Projects Team Leader, Cornwall Council) and Agenda No. 12 (Tourism and Rural Access in Cornwall (TRAC) Project – Environmental Projects Team Leader, Cornwall Council), to allow the Environmental Projects Team Leader presenting these items to leave the meeting to conduct other business)

Consideration was given to a verbal update in respect of damage to Rights of Way and National Trails given by the Environment Manager, Cornwall Council and the Countryside Access Team Leader, Cornwall Council.

In response to comments and questions raised by Forum Members, the Environment Manager, Cornwall Council, and the Countryside Access Team Leader, Cornwall Council, confirmed that:

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- (i) Due to the storms of November and December 2012 and also those in March 2013, approximately £9m damage in total, including highways, had been caused;
- (ii) Those repairs projects which had been identified were currently being prioritised. However it was acknowledged that not all damage may yet have been identified, and Forum Members were requested to report their findings;
- (iii) As the Coast Path brought considerable tourism revenue to Cornwall, this would be ranked as being the highest priority. Spur paths, for example paths to beaches, would also be a high priority. Other paths, however, might be of a lesser priority for the Council.
Some temporary measures, such as 'avalanche shelters', had already been provided along sections of the Coast Path;
- (iv) Non-definitive spur paths which provided access to beaches were the responsibility of the land owners and any necessary works and safety notices should be provided by them;
- (v) Limiting unnecessary signage along the Coast Path could be achieved through influencing the Coast Path Management Plan, but the need to protect public safety would always mean that there would be the need for some signage.

Following consideration of the matter, it was

RESOLVED That the information be noted.

ANNUAL REVIEW OF MATTERS BY THE FORUM

(Agenda No. 9)

CAF/90 The following matters were considered by the Forum:-

ORGANISATION AND STAFFING OF CORNWALL COUNCIL COUNTRYSIDE SERVICE AND CORMAC SOLUTIONS, INCLUDING NEW SERVICE STANDARDS

(Agenda No. 9.1)

CAF/91 Consideration was given to a verbal report and to information circulated at the meeting [*copy attached to the signed Minutes*] in respect of the organisation and staffing of Cornwall Council Countryside Service and CORMAC Solutions, given by the Countryside Access Team Leader, Cornwall Council.

Following consideration of the matter, it was

RESOLVED That the information be noted.

RIGHTS OF WAY MAINTENANCE

(Agenda No. 9.2)

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CAF/92 Consideration was given to a verbal report and to information circulated at the meeting [*copy attached to the signed Minutes*] in respect of maintenance of Rights of Way, given by the Countryside Access Team Leader, Cornwall Council.

Following consideration of the matter, it was

RESOLVED

1. That the information be noted;
2. That a synopsis of the Council's plan for revenue funds allocated for Rights of Way maintenance for 2013/14, including the priority matrix CORMAC uses for determining how the available funds are to be allocated, be provided to the Forum.

DEFINITIVE MAP ISSUES

(Agenda No. 9.3)

CAF/93 Consideration was given to a verbal report and to information circulated at the meeting [*copy attached to the signed Minutes*] in respect of Definitive Map issues. given by the Countryside Access Team Leader, Cornwall Council.

Following consideration of the matter, it was

RESOLVED That the Chairman writes to the appropriate Portfolio Holder to draw attention to the current inability to comply with the statutory duty to republish the Definitive Map and Statement due to lack of resources.

STRATEGY REVISION

(Agenda No. 9.4)

CAF/94 Consideration was given to a verbal report and to information circulated at the meeting [*copy attached to the signed Minutes*] in respect of strategy revision given by the Countryside Access Team Leader, Cornwall Council.

Following consideration of the matter, it was

RESOLVED That the information be noted.

BUDGETS: CAPITAL AND RECURRING - PROPOSALS AND RESULTS

(Agenda No. 9.5)

CAF/95 Consideration was given to a verbal report and to information circulated at the meeting [*copy attached to the signed Minutes*] in respect of Capital Recurring Budgets, including proposals and results, given by the Countryside Access Team Leader, Cornwall Council.

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In response to comments and questions raised by Forum Members, the Countryside Access Team Leader, Cornwall Council, confirmed that:

- (i) Every effort would be made to minimise the impact of the cuts to the budget;
- (ii) Information would be circulated to provide Members of the Forum with details of the names of the Countryside Officers in CORMAC Solutions for each area.

Following consideration of the matter, it was

RESOLVED That the information be noted.

ASSET SURVEY

(Agenda No. 9.6)

CAF/96 Consideration was given to a verbal report and information circulated at the meeting [*copy attached to the signed Minutes*] in respect of the Asset Survey given by the Countryside Access Team Leader, Cornwall Council.

Each element of the Annual Review was presented in 'bite size' form and considered individually. However at the end of all of the items under respective headings, the Chairman requested that the report be presented again at the next meeting and invited Members of the Forum to put 'supplementary' questions at that meeting.

Accordingly, upon consideration of Agenda No.9 (Minute Nos. CAF/91 – CAF/96), it was

RESOLVED

1. That the information be noted.
2. That supplementary questions on the matters covered by the Review be raised at the Forum's meeting scheduled to be held on 16 July 2013.

**NEW CYCLE HUB AT CARDINHAM WOODS - MR P EDWARDS
(REPRESENTATIVE, OTHERS GROUP)**

(Agenda No. 10)

CAF/97 Consideration was given to the report in respect of the new cycle hub at Cardinham Woods (previously circulated) presented by Mr A Bigg (Representative, Landowners/Managers Group) on behalf of Mr P Edwards (Representative, Others Group).

The following comments from Members were noted:

- (i) With reference to point 5. of the report (Access via local stations on existing rail network), the Bodmin and Wenford

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Railway had not been mentioned. Bicycles were carried free on this railway and could be carried from Bodmin to Coleslogget Halt;

- (ii) A blanket fee of £2.00 was applied by the Forestry Commission for parking at Cardinham Woods, which affected customers of the Woods Café, who may only wish to stop for a short time.

Following consideration of the matter, it was

RESOLVED That the information be noted.

CARADON HILL PROJECT - ENVIRONMENTAL PROJECTS TEAM LEADER, CORNWALL COUNCIL

(Agenda No. 11)

CAF/98 (This item was taken before Agenda No. 8 (Damage to Rights of Way and National Trails – Countryside Access Team Leader), to allow the Environmental Projects Team Leader presenting this item to leave the meeting to conduct other business)

Consideration was given to a verbal update in respect of the Caradon Hill Project given by the Environmental Projects Team Leader, Cornwall Council, in which he highlighted:

- (i) the area the Project covered, including the Caradon Hill hinterland and some of Bodmin Moor;
- (ii) funding sources, including DEFRA, Heritage Lottery, Cornwall Council and Parish Councils;
- (iii) the initiatives being addressed, such as supporting Commoners, historic structures maintenance and safety, local access improvements, training for walk leaders and invasive weed control.

In response to comments and questions raised by Forum Members, the Environmental Projects Team Leader, Cornwall Council, confirmed that:

- (i) there had been some successes in terms of opening up accesses;
- (ii) he would welcome the opportunity to provide a more detailed update at a future meeting of the Forum.

Following consideration of the matter, it was

RESOLVED

1. That a site visit to Caradon Hill be held on the morning of Tuesday 16 July 2013, in order to understand the area and the impact of the project being undertaken;

2. That the Environmental Projects Team Leader, Cornwall Council, presents a more detailed update at the meeting scheduled to be held on Tuesday 16 July 2013.

**TOURISM AND RURAL ACCESS IN CORNWALL (TRAC) PROJECT -
COUNTRYSIDE ACCESS TEAM LEADER, CORNWALL COUNCIL**
(Agenda No. 12)

CAF/99 (This item was taken before Agenda No. 8 (Damage to Rights of Way and National Trails – Countryside Access Team Leader), to allow the Environmental Projects Team Leader presenting this item to leave the meeting to conduct other business)

Consideration was given to a verbal update in respect of Tourism and Rural Access in Cornwall (TRAC) Project given by the Environmental Projects Team Leader, Cornwall Council, highlighting that:

- (i) Following discussions held with DEFRA, Cornwall Council would be stepping back from the Launceston scheme;
- (ii) The section of cycleway and underpass enabling access to Bude town had been successfully delivered and had been well received by local residents.

In response to comments and questions raised by Forum Members, the Countryside Access Team Leader, Cornwall Council, and Environment Manager, Cornwall Council, confirmed that:

- (i) The TRAC project had been taken over by the current team 18 months ago, and there was little information available on how funding for the project had originally been achieved;
- (ii) Previous relationships were now on a much better footing;
- (iii) Although the Council had stepped back from part of the original scheme, there was an opportunity for a complete off-road trail to be built;
- (iv) The Bude cycleway section started by the entrance to the sewage works and ran along the bed of the old railway line. A picnic area would be created at the end of the cycleway. Two nearby businesses were enthusiastic at the prospect of the additional business this was likely to achieve;
- (v) The long term aspiration was that the Camel Trail and Tarka Trail would eventually be linked, and the team would be developing the strategy to make the necessary linkages;
- (vi) Funding was received retrospectively from DEFRA once work had been completed;
- (vii) Compulsory purchase was a necessary part of the process, but the Council only pursued this in viable circumstances.

Following consideration of the matter, it was

RESOLVED That the information be noted.

**BLOCKED OPEN ACCESS LAND AT CALVADNACK COMMON:
REPORTED BY COLIN CHAPMAN, CLERK, WENDRON PARISH
COUNCIL - COUNTRYSIDE ACCESS TEAM LEADER, CORNWALL
COUNCIL**

(Agenda No. 13)

CAF/100 Consideration was given to a verbal report in respect of blocked open access land at Calvadnack Common, given by the Countryside Access Team Leader, Cornwall Council.

In response to comments and questions raised by Forum Members, the Countryside Access Team Leader, Cornwall Council, confirmed that:

- (i) It was a firm intention that a policy for open access be formed. However this necessarily had to be placed on a lower priority than statutory responsibilities;
- (ii) He would provide a written response to the Clerk to Wendron Parish Council, and would also ensure that CORMAC responded correctly and appropriately to such matters in future.

Following consideration of the matter, it was

RESOLVED

1. That the Countryside Access Team Leader, Cornwall Council, composes and sends a suitable written response to the Clerk to Wendron Parish Council in respect of the report received in respect of blocked open access land at Calvadnack Common;
2. That Cornwall Countryside Access Forum's involvement in this matter be noted in the letter and that the letter be copied to the Secretary of the Forum.

WORKING GROUPS: UPDATES

(Agenda No. 14)

CAF/101 The Forum gave consideration to updates given by the Chairmen of Working Groups on the following matters:-

RIGHTS OF WAY AND DEFINITIVE MAP WORKING GROUP - MR A BIGG

(Agenda No. 14.1)

CAF/102 Consideration was given to the verbal update in respect of the Rights of Way and Definitive Map Working Group given by Mr A Bigg (Chairman, RoWDMWG), in which he highlighted that:

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- (i) The Definitive Map Modification order to add bridleways to the Definitive Map and Statement at Mulfra Moor, Madron had been well received by the Working Group;
- (ii) The St Euny Well to Tredinny Downs Bridleway currently had missing links at each end, and the West Penwith Bridleway Association had been working very hard with landowners to achieve a completion of these links under the Paths 4 Communities scheme. Cornwall Council's support for the scheme was welcomed, and it was suggested that the Forum considered sending a letter of support to the Bridleway Association in recognition of their efforts.

Following consideration of the matter, it was

RESOLVED That a letter of support be sent by the Chairman on behalf of the Cornwall Countryside Access Forum to the Bridleway Association in recognition of the successful negotiations with landowners ensuring the completion of the links for the St Buryan Bridleway.

COASTAL ACCESS WORKING GROUP - MR P TUNSTALL-BEHRENS
(Agenda No. 14.2)

CAF/103 Consideration was given to the verbal update in respect of the Coastal Access Working Group given by Mr P Tunstall-Behrens (Chairman, CAWG), in which he highlighted:

- (i) that a meeting of the Coastal Access Stakeholder Group was scheduled to be held in June 2013 to discuss progress to date;
- (ii) the email address for any questions on the matter was:
neil.constable@naturalengland.org.

Following consideration of the matter, it was

RESOLVED That the information be noted.

MOORLAND AND OPEN ACCESS WORKING GROUP - MRS J BATE
(Agenda No. 14.3)

CAF/104 Mrs J Bate (Chairman, MOAWG) stated that as no meetings of the Moorland and Open Access Working Group had been held since the last Forum meeting, she had nothing to report on this occasion.

It was

RESOLVED That the information be noted.

MOTOR TRIALS ON BODMIN MOOR - MRS J KEILY
(REPRESENTATIVE, USERS GROUP)
(Agenda No. 15)

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CAF/105 (This item was taken in conjunction with Agenda No.11 (Caradon Hill Project – Environmental Projects Team Leader, Cornwall Council), to which it related)

Consideration was given to a verbal report in respect of motor trials on Bodmin Moor given by Mrs J Keily (Representative, Users Group).

In response to comments and questions raised by Mrs J Keily (Representative, Users Group), the Countryside Access Team Leader, Cornwall Council, confirmed that:

- (i) Where Public Rights of Way could potentially be affected by motor trials or similar activities, the organising body was required to apply for a Licence for the event. Permission from the relevant landowner was also required.
- (ii) Events could also require Planning approval if they occurred on more than a certain number of occasions a year in the same location;
- (iii) The organising group was responsible for reinstating any Public Right of Way after the event.

Following consideration of the matter, it was

RESOLVED That the information be noted.

CORRESPONDENCE TO THE FORUM

(Agenda No. 16)

CAF/106 The Chairman drew attention to correspondence to the Forum previously circulated.

In respect of an email from the Ramblers Association to Cornwall Council regarding Planning Application PA13/01142 – St Austell China Clay ROMP (Review of Old Mineral Permissions) Review, the Forum expressed a wish to receive information of the outcome of the application.

Following consideration of the matter, it was

RESOLVED That a report be given to a future meeting of the Forum on the outcomes in respect of Planning Application PA13/01142 – St Austell China Clay ROMP (Review of Old Mineral Permissions) Review.

ANY BUSINESS THE CHAIRMAN CONSIDERS TO BE URGENT

(Agenda No. 17)

CAF/107 There was no urgent business for consideration.

DATE, TIME AND VENUE OF FUTURE MEETINGS

(Agenda No. 18)

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CAF/108 Upon consideration of the date, time and venue of future meetings, it was

RESOLVED That the meeting scheduled to take place at 2:00pm on Tuesday 16 July 2013 be held at the Council Offices, Luxstowe House, Liskeard, due to this being the closest venue to the Caradon Hill Project.

The meeting ended at 5.00 pm.

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