

CORNWALL COUNTRYSIDE ACCESS FORUM (CCAF) MINUTES OF THE MEETING HELD ON TUESDAY 15 MAY 2018

Date: Tuesday 15 May 2018
Time: 2.00 pm
Venue: Grenville Room, Cornwall Council, County Hall, Treyew Road, Truro TR1 3AY

Present: Adrian Bigg, Kevin Boshier, Gerry Brain, Steve Church, Kay Driver (Chairman), Jim Flashman CC, Robert Fraser (Vice Chairman), Nick Jeans, Esther Kieboom, Matt Luke CC, Cherilyn Williams CC, Jacqueline Merrick, Andrea Sandford, Richard Tufnell and Lucy Wilson

Apologies: Carolyn Boyce and Janet Shearer

Minute no		Action by
CAF/61	Natural England - Coastal Access in Cornwall The Chairman welcomed the Senior Adviser – Coastal Access (Devon, Cornwall and Exmoor), Natural England, to the meeting. The Forum considered the previously circulated presentation in respect of Coastal Access in Cornwall update presented by the Senior Adviser – Coastal Access (Devon, Cornwall and Exmoor), Natural England. The presentation included updates on progress on the following stretches of the Cornwall coast path: (i) Penzance to St Mawes; (ii) St Mawes to Cremyll; (iii) Newquay to Penzance; (iv) Marsland Mouth to Newquay. Publication of the proposals for stretches (i) – (iii) inclusive were due in Winter 2018/19. Publication of the proposals for stretch (iv) was expected in late Spring/Summer 2019, dependent on negotiations with relevant landowners. There would be an 8 week window for representations to be made. Those with a legal interest in the land affected by the proposals could	

submit an objection, if appropriate.

At the end of this period, the proposals would be submitted to the Planning Inspector for judgement, which would be submitted to DEFRA and the Secretary of State's decision.

Once this was given, arrangements would be made for the appropriate infrastructure to be put into place and for the coast path to be opened.

In response to comments and questions raised by Forum Members, the Senior Adviser – Coastal Access (Devon, Cornwall and Exmoor), Natural England, confirmed that:

- (i) Proposals on stretches (i)-(iii) were expected to be published in the 2018/19 financial year;
- (ii) The 2026 project was outside of the remit of Natural England;
- (iii) The South West Coast Path was a national trail and was part of the England Pathway;
- (iv) His role was to identify a route around England; to check the infrastructure in place; to write a report explaining the limits of coastal margins; to have discussions with relevant interested parties; to draw up proposals for comment; and submit final proposals to DEFRA for the Secretary of State's decision and subsequent opening of the pathway;
- (v) Work was currently underway to determine the legal route of the England Coast Path;
- (vi) There would be an 8 week window for comments to be made on the proposals, which would be advertised in newspapers and some libraries;
- (vii) Those landowners affected would receive a map and a link to enable them to make their comments;
- (viii) All formal bodies would receive notification that the window was open.
The Forum's representation would be published in full.
He was available should the Forum require information on the proposals;
- (ix) Whilst there could be only 1 formal route, there would be other routes available in special circumstances; for example, if the formal route ran along a beach and was covered at high tide;
- (x) There was excepted land, such as gardens and parks, for example.

	Following consideration of the matter, it was AGREED that the information be noted. The Chairman thanked the Senior Adviser – Coastal Access (Devon, Cornwall and Exmoor), Natural England, for his attendance and informative presentation.	
CAF/62	Commons and Greens The Chairman welcomed the Commons and Greens Registration Officer to the meeting. The Forum considered the presentation in respect of Commons and Greens presented by the Commons and Greens Registration Officer, which included: (i) The Countryside and Rights of Way Act 2000 gave access to common land; (ii) Various sections of the CRoW Act related to access: - Excepted land (such as parks, gardens, golf courses); - Means of access; - Agreements to access; - Obstructions, including the powers of the Access Authority (local Highway Authority) to apply to magistrates court after 2 notices had been served within a prescribed timescale; (iii) Other enactments also addressed access, including The Law of Property Act 1925. In response to comments and questions raised by Forum Members, the Commons and Greens Registration Officer confirmed that: (i) In cases of unlawful works having been undertaken, the landowner would be contacted to determine whether they were aware that the works were unlawful and whether they had contacted the Secretary of State for permission. In the event that no response was received to the enquiry, a judgement would be made regarding the appropriateness of potential further action. If, for example, there were other viable access points to the land, this would be taken into consideration; (ii) Responsibility for access land had passed from	

	Planning Services to Environmental Services, enabling a more joined up approach to be taken; (iii) Livestock was assumed to be farm animals; (iv) With regard to planning applications, a judgement was made on whether the parcel of land for development was common land or another kind of land. Where land was not common land, only the local planning regulations applied; (v) It could not be assumed that common land identified on a map was common land in law; (vi) If a parcel of land was registered as common land in a pre-1974 Urban District Council area, such as Camborne-Redruth or St. Just (in Penwith), it was possible to access it by horse or on foot; (vii) The loss of livestock on common land was of concern, as there was a potential to lose access to much common land where it became overgrown. Following consideration of the matter, it was AGREED that the information be noted. The Chairman thanked the Commons and Greens Registration Officer for his attendance and informative presentation.	
CAF/63	Cornwall Countryside Access Strategy/Connecting with Nature The Chairman welcomed the Senior Environment Officer to the meeting The Forum considered the presentation given by the Senior Environment Officer in respect of the Cornwall Countryside Access Strategy/Connecting With Nature. A copy of the draft Connecting With Nature Strategy document was circulated to the meeting. The presentation included: (i) The Environmental Growth Strategy was the overarching strategy, under which there were a number of related strategies, including the Countryside Access Strategy; (ii) The Countryside Access Strategy was intended to be a broad strategy which paved the way for detailed actions plans; (iii) It was proposed to widen the strategy, to	

- include beaches, open spaces, woodlands and forestry, for example;
- (iv) Over-arching visions and objectives and action plans for the future would be included in the strategy. More detailed actions plans would then follow for specific areas, for example Public Rights of Way;
- (v) A brief discussion in respect of the name for the Strategy was had;
- (vi) The Countryside Access Strategy Task and Finish Group would be considering the document at a meeting in mid-June and would report its comments to the Forum at its meeting in July, following which the public would be consulted.

In response to comments and questions raised by Forum Members, the Senior Environment Officer confirmed that:

- (i) Nick Jeans' comment that the shorter document was more appropriate was acknowledged;
- (ii) With regard to the proposed change of name of the document, it was considered that this should reflect people connecting with nature. Suggested titles were 'Accessing Nature Strategy' or 'Connecting With Nature Strategy'. It was requested that the Task and Finish Group indicate its preference and that this would be adopted;
- (iii) The strategy included a section on future plans, such as a strategic trails plan, which would include potential new routes;
- (iv) The Public Rights of Way Improvement Action Plan Document was almost ready to be published alongside the access strategy document;
- (v) With regard to the anomalies in the Definitive Map which had to be rectified by 2026, the concerns of the Forum were noted, and in particular that it requested to be kept informed of any potential extension to the 2026 deadline, and that all Cornwall Councillors should also be kept informed;
- (vi) A member's suggestion that the consultation on the strategy document should include community networks was acknowledged.

Following consideration of the matter, it was **AGREED** that the information be noted.

	The Chairman thanked the Senior Environment Officer for attending and for her report.	
CAF/64	Declarations of Interest (on matters included in the agenda) There were no declarations of interest.	
CAF/65	Minutes from the meeting held on 30 January 2018 It was moved by Richard Tufnell, seconded by Councillor Flashman, and RESOLVED That the Minutes of the meeting of the Cornwall Countryside Access Forum held on 30 January 2018 were correctly recorded and that they be signed by the Chairman, subject to the following amendments (i) CAF/46 (iii), paragraph 4: To read: "... to make contact with the Bodmin Moor Commons Council...". (ii) CAF/46 Resolution 4. (i): To read: "...the contact details for the Bodmin Moor Commons Council to be sent to...".	Secretary's Representative
CAF/66	Matters Arising (Not otherwise included in the agenda) The Forum considered the following matters: (i) <u>Portfolio for Environment and Public Protection (Minute No. CAF/43)</u> <u>In respect of Bullet point (x):</u> In respect of the Penwith Landscape Partnership (PLP):- (i) Esther Kieboom confirmed that the PLP had now recruited a number of staff and also that 8 -10 projects were being considered; (ii) In response to a Forum member's question, Adrian Bigg confirmed that the full team would comprise 8 staff members. Esther Kieboom added that the Partnership would not be formed solely of staff engaged in access matters, but also archaeologists; (iii) Adrian Bigg confirmed that he was a PLP Board member and was able to update	

the Forum on the progress of the Partnership.

He stated that half of the Partnership's team, which included 2 dedicated paths officers, were now in place, and also that the Project's office would be located in St Just.

The Project was currently in the process of formulating its plans.

It's aim was to improve access across Penwith, particularly the moors.

A major component of this was to focus on improvements to the Tinnars Way, which ran between St Ives and St Just, which it was aimed to deliver over the next 5 years.

- (iii) Adrian Bigg suggested that consideration be given to inviting a representative of the PLP to give a presentation to a future meeting of the Forum, which was AGREED.
- (iv) Gerry Brain suggested that a site visit to the PLP would be very informative, which was AGREED.

- (ii) Matters Arising (i) (Vision for the Cornwall Countryside Access Forum (Minute No. CAF/24)) (Minute No. CAF/46)

In respect of Agreed action 2(i) (Press Release to remind members of the public of their rights and responsibilities regarding countryside access and the importance of following the Countryside Code:

The Chairman stated that to support the proposed Press Release the Senior Environment Officer had supplied some data for the draft, however following submission of the Press Release for publication, it appeared that it had not been issued.

Following discussion of the matter, it was AGREED that the Chairman discusses the matter with the Leader of the Council and also prepares another Press Release.

It was noted that the Chairman's amended Press Release had been included in the Community Network Bulletin in May 2018, together with a note regarding Forum vacancies.

- (iii) Matters Arising (ii) (Cornwall Council Asset Survey and Continuing Inspections (Minute No.

CAF/35)) (Minute No. CAF/46)

In respect of AGREED action 3.(ii) (Circulation of a copy of the presentation by the Countryside Team Leader on the Asset Survey and Continuing Inspections):

The Public Space Officer stated that the Countryside Access Team Leader had been unavailable since the Forum's last meeting and so no further action had been taken on the matter. It was AGREED that the Public Space Officer would investigate the possibility of accessing the presentation, and if so, arrange for circulation.

In respect of AGREED action 4.(i) (Councillor Flashman to arrange for the details of the Bodmin Moor Commons Council to be sent to Bob Fraser)

Councillor Flashman stated that Councillor Fairman was a Commoner and that he had offered to attend Forum meetings, which was AGREED. He could potentially provide a link between the Forum and the Commons Council.

He also stated that Councillor Daw was a member of the Long Distance Walking Association and that she had also offered to attend the next Forum meeting, which was AGREED.

He suggested that the Royal Cornwall Show could potentially provide an opportunity to promote the role and work of the Forum and that representatives of the Forum could use the presence of the AONB Partnership at the show to do this.

Councillor Luke stated that he would be interested in representing the Forum at the show, which was AGREED.

(iv) Matters Arising (iii) (Matters Arising (Minute No. CAF/27)) Local Maintenance Partnership (LMP) (Minute No. CAF/46)

In respect of paragraph 1, in response to a member query regarding the LMP, the Public Space Officer confirmed that:

- Partnerships brought much added value to the level of operations;
- Many good comments on the LMP had been

	received; - All comments were being reviewed to assess any areas for improvement; - Efforts were also being made to progress the maintenance of the South West Coast Path, which had also been well received.	
	(v) <u>Countryside Access Strategy Task and Finish Group (Minute No. CAF/51)</u> The Chairman confirmed that a meeting with CASTFG to discuss the Strategy was due to be held in June 2018.	
	(vi) <u>Funding Opportunities Task and Finish Group (Minute No. CAF/53)</u> In respect of paragraph 7, the Chairman confirmed that the Secretary's Representative had contacted the Cornwall Sports Partnership and that in response, the Director, Cornwall Sports Partnership, had suggested holding discussions with a member of the Forum. The Chairman suggested that she contacts him and reports the outcomes to the Forum at its next meeting, which was AGREED.	
	(vii) <u>Rights of Way and Definitive Map Working Group (Minute No. CAF/56)</u> On behalf of the Forum the Forum Chairman welcomed the Chairman of the ROWDMWG to the meeting. Following consideration of the above matter(s), it was AGREED that	
	1. The information be noted;	
	2. The Countryside Access Team Leader arranges for a presentation to be given to the Forum by a representative of the Penwith Landscape Partnership and for this to be entered onto the Work Plan;	ME
	3. The Countryside Access Team Leader arranges for a future site meeting to be held at the Penwith Landscape Partnership;	ME
	4. The Chairman raises the matter of the Press Release with the Leader and prepares another Press Release;	KD
	5. The Public Space Officer investigates the possibility of accessing the presentation previously given by the former Countryside	DM

	Team Leader, and if possible, circulates a copy to Forum members; 6. The Secretary's Representative to arrange for Councillor Fairman to be invited to future Forum meetings and for Councillor Daw to be invited to the next Forum meeting; 7. Councillor Luke be the Forum's representative at the Royal Cornwall Show on 8 June 2018; 8. The Chairman to contact the Director, Cornwall Sports Partnership and reports the outcomes to the next meeting of the Forum.	Secretary's Representative ML KD
CAF/67	Chairman's Announcements The Forum considered the following announcements by the Chairman: (i) <u>End of Term of Office of Forum Vice Chairman</u> The Chairman stated that Bob Fraser had indicated that he would not be re-applying for membership at the end of his term of office in July 2018, and she thanked him for his commitment and for the work he had undertaken during the period of his tenure. Nick Jeans added that during his period of chairmanship of the Forum, Bob Fraser had been very supportive in his role. Following consideration of the above matter, it was AGREED that the information be noted.	
CAF/68	CCAF Work Programme The Public Space Officer stated that due to the current absence of the Countryside Access Team Leader, it was not possible to bring a report to the Forum on this occasion, however he welcomed any comments on the work programme. In response to comments raised by Forum members in respect of a presentation by the Head of Transportation Delivery to the Forum regarding Category 5 and 6 roads, the Public Space Officer confirmed that he would arrange for the Countryside Access Team Leader on his return to make arrangements for a representative to attend a future meeting to update the Forum. Following consideration of the matter, it was AGREED that	

	(i) The information be noted; (ii) The Public Space Officer arranges for the Countryside Access Team Leader on his return to make arrangements for a representative of the transportation service to attend a future meeting of the Forum to give a presentation on Category 5 and 6 roads.	ME
CAF/69	Working Group Updates (Verbal reports from the Chairman or Representative of each of the following Working Groups:) Consideration was given to the verbal updates given by the Chairman or Representative of the following working groups, following which it was AGREED that the information be noted:	
CAF/70	A30 Road Improvements Task and Finish Group Consideration was given to the previously circulated response by the A30RITFG to the A30 Chiverton Cross to Carland Cross road improvement consultation and also to the verbal update given by Nick Jeans regarding the proposed A30 Link Road to St Austell Road improvements, in which the following was highlighted: (i) The response to the A30 Chiverton Cross to Carland Cross road improvement consultation sent by the A30RITFG needed to be formally ratified by the Forum; (ii) In respect of A30 Chiverton Cross to Carland Cross: - Outcomes from the consultation would be assessed in June 2018, following which it was expected that the A30RITFG would meet again; - The comments made by the A30RITFG, most of which had been taken on board, had significantly influenced the design process; - The proposal to re-site the current roundabout at Chiverton Cross approximately 600metres to the East was not popular and it was hoped that negotiations would result in an underpass being provided; - The multi-use trail at Carland Cross was mostly successful, however there remained an issue with crossing the Truro Road south of the roundabout, which was	

	currently being assessed; - Blockages on two north-south routes between Zelah and Marazanvose had resulted in long diversions. A wildlife bridge was currently included in the scheme. Requests had been made to upgrade the bridge to a cycling and bridleway route, which had been acknowledged; - Overall, the public consultation had been successful and the A30RITFG would be meeting with the relevant officers again following the consultation, in June or July; (iii) In respect of the discussions regarding the A30 Link Road to St Austell road improvements: - The Task and Finish Group was due to meet again on 13 June 2018. Following consideration of the information provided, it was moved by Gerry Brain, seconded by Councillor Flashman, that the consultation response made by the A30 Road Improvements Task and Finish Group to the A30 Chiverton Cross to Carland Cross consultation be AGREED.	
CAF/71	Coastal Access Working Group Consideration was given to the verbal update given by Steve Church in respect of the Coastal Access Working Group, in which he highlighted: (iv) The CAWG had not met since the Forum's meeting on 30 January 2018, as there had been no new business for it to consider. The Group had met in the past to give its recommendations to Natural England (NE), which had subsequently been ratified by the Forum; (v) The Group sought approval from the Forum for recommendations to NE to be made in respect of 3 additional areas: - Millook; - Whipsiderry, and - Newquay Town which was AGREED; (vi) NE was due to commence work on the remaining length of the coast of Cornwall, Marsland Mouth – Newquay, and that a preliminary meeting had been arranged for 17 May 2018 to discuss locations to be especially considered. He would be setting out the Working Group's recommendations, ratified by	

	the Forum, at that meeting. In response to a question from Steve Church regarding coastal footpath at Talland, the Public Space Officer confirmed that he would provide an update outside of the meeting. Following consideration of the update provided, it was AGREED that: (i) The update be noted; (ii) The CAWG recommendation to Natural England in respect of Millook, Whipsiderry and Newquay Town be formally approved; (iii) Steve Church sets out the Working Group's recommendations, ratified by the Forum, to Natural England.	SC
CAF/72	Countryside Access Strategy Task and Finish Group Subsequent to the presentation given earlier in the meeting by the Senior Environment Officer regarding the Countryside Access Strategy, which had been noted, there was nothing further to report.	
CAF/73	Consultation Response Working Group Kay Driver stated that no new consultations had been received since the Forum's last meeting on 30 January 2018.	
CAF/74	Funding Opportunities Task and Finish Group Consideration was given to the verbal update given by Kay Driver in respect of the Funding Opportunities Task and Finish Group, in which she highlighted that: (i) A response had been received from the Portfolio Holder for Environment and Public Protection, as included in the agenda, which confirmed that the Forum qualified for the Community Infrastructure Levy (CIL) under the criteria; (ii) That following confirmation of qualification for CIL, a letter had been sent to the Deputy Leader of the Council; (iii) It was requested that the three Cornwall Council Forum members pursue the matter to ensure that it did not become overlooked.	

	Councillor C Williams described her understanding of the difference between Section 106 and CIL monies, and also stated the Council's proposed use of CIL monies for strategic infrastructure, such as roads, and the parish councils' objections to this. The Public Open Space Officer stated that it would be interesting to note whether the development of public rights of way qualified for CIL monies. If so, it would not be possible to access Section 106 monies in addition. When any planning development proposals were received, the Environment team assessed them for potential impact on existing rights of way. Councillor Flashman suggested that the Deputy Leader of the Council be invited to attend a future meeting of the Forum to discuss CIL monies, which was AGREED. Following consideration of the information presented, it was AGREED that: (i) The Secretary's Representative invites the Deputy Leader of the Council to a future Forum meeting to discuss Community Infrastructure Levy monies; (ii) Cornwall Council Forum members pursue Community Infrastructure Levy monies on behalf of the Forum.	Secretary's Representative JF/ML/CW
CAF/75	Moorland and Open Access Working Group It was noted that the MOAWG had not met since the Forum's meeting on 30 January 2018.	
CAF/76	Multi Use Trails Working Group Consideration was given to the verbal update given by Nick Jeans in respect of the Multi Use Trails Working Group, in which he highlighted that: (i) Two successful meetings had been held with the CORMAC design team. The Working Group had been engaged early on in the plan and the draft plan had been presented to the Working Group for comment, following which 2 roundabouts had been relocated and several equine and cycle crossings had been incorporated.	

CAF/77	Rights of Way and Definitive Map Working Group It was noted that the Rights of Way and Definitive Map Working Group had not met since the Forum's last meeting on 30 January 2018. Adrian Bigg invited Forum members to put forward ideas on matters to be considered by the ROWDMWG. In response, Andrea Sandford suggested that the proper completion of Definitive Map Modification Orders would be a useful topic for consideration. Jacqueline Merrick suggested that a workshop could be arranged, which was AGREED In response to questions from Forum members, Adrian Bigg confirmed that it had been left to user groups to promote the 2026 deadline. Following consideration of the information presented, it was AGREED that 1. Forum members put forward ideas on matters to be considered by the Rights of Way and Definitive Map Working Group to Adrian Bigg; 2. The Countryside Access Team Leader arranges a workshop for Forum members on the completion of Definitive Map Modification Orders.	Forum members ME
CAF/78	Correspondence to the Forum It was noted that no matters of interest or concern arising from correspondence to the Forum had been advised by Forum members.	
CAF/79	Date, Time and Venue of Future Meetings The Forum noted the dates of future meetings.	
CAF/80	Any Business the Chairman Considers to be Urgent It was noted that there was no urgent business for consideration.	

The meeting ended at 4.15 pm.

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