

CORNWALL COUNCIL

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 21 July 2009 commencing at 2.00 pm.

Present:- Councillors: Robin Moore (Chairman)
Graham Ronan (Vice-Chairman)

Robert Alderton, Adrian Bigg, Gill Derryman, Julie Dowton, Terry Faull, Jill Goodman, Adam Hedley, Roger James, Mike Kent, Jane Kiely, Adam Paynter, James Scobie, Peter Tunstall-Behrens and Jeremy Varcoe.

Also in attendance:- Councillors: Vanessa Davis, Mike Eastwood, Lisa Parsons, Kathy Pemberton and Richard Williams.

Apologies for absence:- Councillors: Julie Bate, John Lugg and Gavin Shakerley.

INTRODUCTION AND WELCOME

(Agenda No. 2)

CAF/1 The Chairman acknowledged the Cornwall Council appointed representatives on the Forum, Adam Paynter, who had been involved with the Forum in his capacity with the former Cornwall County Council as the Executive Portfolio-holder for Environment and Heritage, and Gavin Shakerley was a former Forum member representing Landowners and John Lugg who he knew personally.

The Chairman welcomed the newly appointed Members to the Forum and added that Duncan Thurnell-Read, who had been a Forum Member since its beginning, had been unsuccessful in his re-appointment. The Chairman would be writing to him expressing the Forum's appreciation of his work over the years.

The Chairman also welcomed five members of the public to the meeting. As there was public interest in agenda item 14 – Bodmin Moor Working Group: Update – the Chairman had agreed to bring this item forward on the agenda for discussion after agenda item 3 – Declarations of Interest.

It was moved by Robin Moore, seconded by Graham Ronan, and

RESOLVED that agenda item 14 – Bodmin Moor Working Group: Update – be brought forward on the agenda.

DECLARATIONS OF INTEREST

(Agenda No. 3)

CAF/2 Robert Alderton declared a personal interest as a member of the Cornwall Disabled Association, the National Trust and a walker.

Adrian Bigg declared a personal interest as a Landowner with a right of way across it, as BHS Access Officer for Cornwall, as Chairman of Penwith Access and Rights of Way Forum, as a Rider, Walker and Cyclist using the Countryside and as a person keen on preserving the environmental and cultural heritage of our countryside.

Gillian Derryman declared a personal interest as a landowner and manager with permissive rights of way across her land, as a walker and a driver and rider of horses.

Julie Dowton declared a personal interest as Secretary of Bodmin Moor Commons Association, Secretary of Bodmin Moor Commons Landowners, Secretary of Davidstow and Westmoor Commoners' Association, Chief Executive of Davidstow and Westmoor Commons Ltd,

Terry Faull declared a personal interest as a member of the Royal Institution of Cornwall and associate of the Institute of Cornish Studies, a member of the Cornwall Wildlife Trust, Vice-Chair of the Launceston Area Parish Wildlife Group, as a member of the British Agricultural History Society and Devon Countryside Access Forum.

Jill Goodman declared a personal interest as Cornwall Ramblers Association Area Access Officer, as a Member of Visit Cornwall, as a Member of Cornwall Wildlife Trust, as a member of Cornwall Sustainable Tourism Project (CoaST) and Green Tourism Business Scheme.

Adam Hedley declared a personal interest as chair of Cornwall Trail Riders Fellowship with an interest in recreational use of rights of way by motorcycle

Roger James declared a personal interest as a member of Cornwall & Devon Land Rover Club; a volunteer at Bodmin & Wenford Railway, and a member of Friends of Luxulyan Valley

Michael Kent declared a personal interest as a member of the National Trust and Cornwall Wildlife Trust, supporter of Polzeath Voluntary Marine Conservation Area, tendered a bid with Devon County Council for coast path guides and a user of the coastal footpath.

Jane Kiely declared a personal interest as a member of the Ramblers Association, National Trust, English Heritage, Cornwall Wildlife Trust and a walker.

Cornwall Countryside Access Forum
21 July 2009

Robin Moore declared a personal interest as a landowner and member of the National Farmers Union and as a member of the Association of Classic Trials Clubs

Graham Ronan declared a personal interest as Area Chairman of Cornwall Ramblers, a member of the National Trust, English Heritage and Cornwall -Archaeological Society

James Scobie declared a personal interest as a Member of the Country Landowners Association (CLA), Past President of CLA in Cornwall, CLA representative on Cornwall AONB partnership, owner and occupier of property beside a public footpath and near the coast, occupier of property with public footpaths on it and near the coast and as a Member of the National Trust.

Peter Tunstall-Behrens declared a personal interest as a landowner of a coastal farm and headland with several public footpaths, as a trustee-owner of 30 acres of common land and as a member of the Country Landowners Association.

Jeremy Varcoe declared a personal interest as a small landowner on Bodmin Moor, a member of the National Trust and Country Land and Business Association, and a user of footpaths.

INTRODUCTION FROM FORUM SECRETARY (RICHARD WILLIAMS, CORNWALL COUNCIL HEAD OF LEGAL AND DEMOCRATIC SERVICES)

(Agenda No. 4)

CAF/3 Richard Williams informed the Forum that he had been appointed the Head of Legal Services on 1 April 2009, and prior to that had 12 years' experience working for Cornwall County Council. Legislation (The Local Access Forum (England) Regulations 2007) required the Council to employ a secretary to be responsible for the Forum, and since the Forum's establishment in November 2002 this role had fallen to the Monitoring Officer/Head of Legal Services.

Day to day support to the Forum and administration of meetings was the responsibility of a Democratic Services officer. Although Democratic Services aimed to provide consistent support to the Forum, the Head of Legal Services acknowledged it was unfortunate that Kathy Pemberton was moving on to take up a new post, however, as an interim measure Lisa Parsons, Principal Democratic Services Officer was overseeing support to the Forum. Mr Williams emphasised the Democratic Services Manager, Anita Searby, had a strong commitment to ensure the Forum received the assistance it required.

The Chairman was confident that the Forum continued to receive the support it deserved and needed, and he and the Vice-Chairman thanked Richard Williams for introducing himself to the Forum.

MINUTES OF THE MEETING HELD ON 19 MAY 2009

(Agenda No. 5)

CAF/4 It was moved by Robin Moore, seconded by Terry Faull, and

RESOLVED that the minutes of the meeting of the Cornwall Countryside Access Forum held on 19 May 2009 are correctly recorded and that they be signed by the Chairman.

MATTERS ARISING OTHER THAN ON THE AGENDA

(Agenda No. 6)

CAF/5 (1) Work Programme

Following a request, the Work Programme was to be added to future Forum agendas.

(2) Recreational Use of Motor Vehicles in the Countryside – Trial Riding

It was moved by Graham Ronan, seconded by Roger James, and

RESOLVED that the letter to Tom Flanagan be approved, with the inclusion of a statement about the transfer of resources and the amendment of a few typos.

CHAIRMAN'S ANNOUNCEMENTS

(Agenda No. 7)

CAF/6 England Access Forum (EAF)

The Chairman reported that regional Access Forum Chairs had agreed to meet before EAF meetings, which took place 3 times per annum. It had been proposed by the South West Area Access Forum to meet once or twice per annum.

(link to Natural England meeting papers:

http://www.naturalengland.org.uk/about_us/ourpeople/neboard/meetings/default.aspx)

CORRESPONDENCE TO FORUM

(Agenda No. 8)

CAF/7 The Chairman identified the following correspondence that had been received:

1. Defra Consultation on Coastal Change Policy: Responses were required by 25 September 2009.
2. Natural England draft policy for consultation on Protected Landscapes: Responses were required by 5 October 2009.

Cornwall Countryside Access Forum
21 July 2009

It was moved by Graham Ronan, seconded by Adrian Hedley, and

RESOLVED that the consultations be responded to as follows:

1. Coastal Change Policy - Forum members send their comments to the Secretary's Representative to co-ordinate a response for final approval and submission by the Chairman and Vice-Chairman; and
2. Protected Landscapes – this consultation be commented on at the Forum's next meeting.

NATURAL ENGLAND CONSULTATION: PROPOSED AMENDMENTS - GUIDANCE TO CROW RELEVANT AUTHORITIES

(Agenda No. 9)

CAF/8 James Scobie reported his views on this consultation to the Forum. This response was commended by the Vice-Chairman.

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

RESOLVED that the Chairman and Vice-Chairman be delegated responsibility to respond to Natural England's Consultation: Proposed Amendments – Guidance to CROW Relevant Authorities based upon the drafted response by James Scobie.

CHANGES TO MEMBERSHIP, FUTURE MEETING DATES AND TRAINING

(Agenda No. 10)

CAF/9 The CCAF Secretary's Representative introduced this report, which outlined the appointments made to the Forum on 21 July 2009. Since writing the report the three Cornwall Councillors had been appointed to the Forum:

- John Lugg
- Adam Paynter
- Gavin Shakerley

Mike Eastwood agreed that a training session would be arranged to take place directly before the Forum's next meeting, and a future site visit would be arranged.

There was a discussion over the balance of membership on the Forum, however, Vanessa Davis, Legal Services, explained this issue was covered in the revised Constitution, an item which was included on this agenda. In addition, following the appointments the Forum was running with a Landowner vacancy, but this would continue until next year's round of interviews as there was a lack of resources for a second round of interviews during this year.

Cornwall Countryside Access Forum
21 July 2009

It was moved by Adrian Hedley, seconded by Jane Kiely, and

RESOLVED that the Forum:

- 1) Notes the new appointments and re-appointments to the Forum; and
- 2) Meets as follows:
 - i. 29 September 2009 – morning training and the formal Forum meeting in the afternoon; and
 - ii. 24 November 2009 – morning site visit (Gold Path) and the formal meeting during the afternoon at a venue to be arranged.

ANNUAL REVIEW AND APPOINTMENTS TO WORKING GROUPS

(Agenda No. 11)

CAF/10 The CCAF Secretary's Representative reported that, in addition to the two working groups "Bodmin Moor Issues and Options Working Group" and "Access to the Countryside Working Group", there existed the "Exclusions and Restrictions Working Group".

It was considered that it would be helpful for the Forum to have further advice on the role and remit of Working Groups at its next meeting. Robert Alderton advised that he would be interested in being involved with the work of the Access to the Countryside Working Group, with Jeremy Varcoe, adding that he would be interested in sitting on the Bodmin Moor Working Group.

It was moved by Graham Ronan, seconded by Michael Kent, and

RESOLVED that this item be deferred to the next meeting, until then Working Groups continue with their existing membership.

ANNUAL REVIEW OF FORUM'S CONSTITUTION

(Agenda No. 12)

CAF/11 Vanessa Davis, Legal Services, identified the suggested changes made to the Forum's Constitution. Generally, these suggestions were accepted. However, the Forum was concerned about the change suggested at paragraph 4.8, and therefore, decided to revert to the original wording.

The following amendments were made:

- Paragraph 13.1 the word "Local" be replaced by "Countryside"; and

Cornwall Countryside Access Forum
21 July 2009

- Paragraph 14.1 be amended to read "An Annual Report by the Forum on its discharge of functions shall be published by Cornwall Council".

It was moved by Terry Faull, seconded by Jeremy Varcoe, and

RESOLVED that the amendments made by the Forum during the meeting be included in the Forum's Constitution.

WORKSHOP SESSIONS FEEDBACK

(Agenda No. 13)

CAF/12 It was moved by Adrian Bigg, seconded by Terry Faull, and

RESOLVED that this item be deferred to the next meeting.

BODMIN MOOR WORKING GROUP: UPDATE

(Agenda No. 14)

CAF/13 Jill Goodman introduced the Bodmin Moor Working Group Update Report, and explained that when the Group met on 3 July there had been a lengthy discussion about horse riding permits. She reported that Bodmin Moor landowners were preparing to introduce horse riding permits for the moor, formally giving riders permission to ride on the open moorland, much of which was managed under Stewardship arrangements. At the time of the meeting there were no details of the permit arrangement available, and she thought it may be useful for the Forum to discuss the principle of "permit to ride" schemes.

The Group had received an email from Adrian Bigg on behalf of the British Horse Society Cornwall that outlined their concerns about riding on Bodmin Moor and riding permits. Mr Bigg reported on the Association of Bodmin Moor Commons Landowners scheme, which had been developed as part of the Bodmin Moor Development and Communication Project, and was perceived to have had little public involvement or consultation with public bodies. In addition, the Forum had not been informed about the document referred to and had no formal involvement in the report.

The Chairman read out a letter addressed to members of the Forum from Rupert Hanbury-Tenison, Chairman of the Association of Bodmin Moor Commons Landowners, in which the Association formally requested that, if the Forum intended to discuss the project or other matters relating to their land management responsibilities, all letters, minutes, emails, telephone calls, previously, currently and in the future were retained and made available to their legal representatives. There were concerns about a reference in the letter to AONB funding for the Association of Bodmin Moor Commons Landowners Development and Communication Project.

In response to the Chairman's invitation to the public, Tristan Bishop, a resident near Altarnun, raised various points, including the following:-

Cornwall Countryside Access Forum
21 July 2009

- After being informed of the project by Adrian Bigg, Mr Bishop had contacted a range of local people, including the organisers of hunts, and found that no one he contacted had been contacted about the proposed permit scheme;
- Additionally, he had not heard of any horse riders being contacted about the scheme;
- There was concern where the alleged £12,000 funding for the scheme was being spent;
- There was concern about a sign at Roughtor car park stating there was no horse riding without a permit, which included Cornwall Council logo, and whether this had been sanctioned by the Council; and
- The report referred to damage made to the Moor by horse riders, but no mention about the damage caused by vehicular movement on the Moor or damage caused by free-ranging horses.

The Chairman thanked Mr Bishop for his comments.

Mike Eastwood confirmed that Cornwall Council logo appeared on signs and leaflets that had been distributed concerning Countryside and Rights of Way Act (CROW) Access Land on Bodmin Moor. However, a range of other organisations had their names and logos included on these documents, stating that the Council was guided by the Bodmin Moor Working Group on the information contained and the design of the leaflet. Mr Eastwood then read out a statement written by Steve Crummay, Living Environment Service Manager, which included the following comments:

- Cornwall Council understood that, to date, the scheme proposed by the Association of Bodmin Moor Commons Landowners report in 2007 "Bodmin Moor Development and Communication Report" remained to be implemented;
- The Bodmin Moor Development and Communication Report included details of the horse riding permit scheme, and was part funded by the Cornwall Area of Outstanding Natural Beauty (AONB) through a small grants scheme;
- Cornwall Council supports all forms of appropriate access to the environment and countryside across Cornwall, and that it was important that this access was managed in a sustainable way to ensure the conservation and preservation of Cornwall's environment and heritage assets;
- Cornwall Council worked with many partners, including the Cornwall Countryside Access Forum, ensuring that the access management the Council was responsible for was appropriate;
- In response to several horse riders and riding groups having contacted the Council, once they learnt of the permit scheme,

Cornwall Countryside Access Forum
21 July 2009

expressing some concerns, the Council had had some discussion and communication with the Association, passing on those concerns; and

- If required, Cornwall Council was willing and happy to have further discussion with the users and landowners to help manage access to Bodmin Moor.

It was moved by Terry Faull, seconded by Adam Hedley, and

RESOLVED that Cornwall Council's assistance be requested in progressing and clarifying matters relating to this project.

PROGRESS REPORT ON PUBLIC PATH IMPROVEMENT PROGRAMME (PPIP)

(Agenda No. 15)

CAF/14 It was moved by Terry Faull, seconded by Jane Kiely, and

RESOLVED that this item be deferred to the next meeting.

UPDATE ON PROGRESS ON ACTIONS IN THE CORNWALL COUNTRYSIDE ACCESS STRATEGY 2007

(Agenda No. 16)

CAF/15 It was moved by Terry Faull, seconded by Jane Kiely, and

RESOLVED that this item be deferred to the next meeting.

ELECTION OF CHAIRMAN

(Agenda No. 17)

CAF/16 The current Chairman read out a prepared statement, where he observed he had been involved with the Forum since its inception in 2002, and Chairman for that entire time. Robin Moore expressed his appreciation for the support he had received from the Forum members over the years, adding the work had been rewarding. The Vice-Chairman responded that the Forum had appreciated the work that Robin Moore had undertaken for the Forum, and asked him to remain in the Chair for the remainder of the meeting.

It was moved by Terry Faull, seconded by James Scobie, and

RESOLVED that Graham Ronan be elected Chairman of the Cornwall Countryside Access Forum.

The Chairman thanked the Forum for his election.

ELECTION OF VICE-CHAIRMAN

(Agenda No. 18)

CAF/17 It was moved by Terry Faull, seconded by Graham Ronan, and

RESOLVED that Michael Kent be elected Vice-Chairman of the Cornwall Countryside Access Forum.

The meeting ended at 5.10 pm.

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