

CORNWALL COUNCIL

CORNWALL COUNTRYSIDE ACCESS FORUM

MINUTES of a Meeting of the Cornwall Countryside Access Forum held at Grenville Room, Cornwall Council, County Hall, Truro, TR1 3AY on Tuesday 29 September 2009 commencing at 2.00 pm.

Present:- Graham Ronan (Chairman)
 Mike Kent (Vice-Chairman)

 Robert Alderton, Adrian Bigg, Terry Faull, Adam Hedley,
 Roger James, Jane Kiely, Lugg, Robin Moore, Paynter,
 James Scobie, Shakerley and Jeremy Varcoe.

Officers in Steve Crummay – Living Environment Service Manager
attendance:- Mike Eastwood – Programmes Manager
 Lisa Parsons – Principal Democratic Services Officer
 Jacquie Rapiet – Assistant Democratic Services Manager
 Rowena Brebner – Democratic Services Officer

Apologies for Julie Bate, Gill Derryman, Julie Dowton, CC German,
absence:- Jill Goodman and Peter Tunstall-Behrens.

INTRODUCTION AND WELCOME

(Agenda No. 1)

CAF/18 The Chairman welcomed everybody to the meeting, in particular, the former Chairman, Robin Moore.

The Chairman also welcomed two members of the public, one of whom had been co-opted onto one of the forum's working group.

DECLARATIONS OF INTEREST - NOT ALREADY DECLARED

(Agenda No. 3)

CAF/19 There were no declarations of interest not already declared.

MINUTES OF THE MEETING HELD ON 21 JULY 2009

(Agenda No. 4)

CAF/20 It was moved by Robin Moore, seconded by James Scobie, and

RESOLVED that the minutes of the meeting of the Cornwall Countryside Access Forum held on 21 July 2009 were correctly recorded and that they be signed by the Chairman, subject to the following amendment:-

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reference to 'Councillors' under those 'Present', 'Also in attendance' and 'Apologies for absence' be deleted and 'CC' be inserted immediately preceding Adam Paynter, John Lugg and Gavin Shakerley

MATTERS ARISING OTHER THAN ON THE AGENDA

(Agenda No. 5)

CAF/21 CAF/12 Bodmin Moor Working Group: Update

In response to a comment made regarding the sign at Roughtor car park, the Living Environment Service Manager advised that progress was being made in resolving the issue of the permit scheme. The Council had offered help and contributed to discussions on the matter and officers had been instructed to cover any reference to the website and permit scheme on the sign.

CORRESPONDENCE TO THE FORUM

(Agenda No. 7)

CAF/22 The Chairman identified the following correspondence that had been received:

1. Letter from Robin Moore handing over to the new Chairman. The Chairman read an extract from the letter and thanked Robin for his work as former Chairman.
2. Letter to Corporate Director for Environment Planning and Economy regarding unclassified roads. The Living Environment Service Manager agreed to seek a response to this letter.
3. Letter to Corporate Director for Environment Planning and Economy regarding countryside access. The Living Environment Service Manager agreed to seek a response to this letter.
4. Defra – Access Newsletter Issue 40
5. Defra – Access Newsletter Issue 41
6. Sustrans Draft SW Regional Plan. The Chairman read the forum's combined response at the meeting.
7. Open Access Restrictions System (OASYS) Briefing Note. The Chairman advised that the CCAF had not been receiving notifications of restrictions and he had been in contact with Natural England to ensure future notification of restrictions.
8. Natural England Notification of Restriction – King Arthur's bed
9. Defra Consultation on Coastal Access. Responses to this consultation were required by 1 December 2009 and would be commented on at the Forum's next meeting.
10. SW Local Access Forum Newsletter Summer 2009. The Chairman was pleased to advise that Jill Goodman's position statement on wind farms had been mentioned in the newsletter.

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11. Defra Impact of transport schemes on Rights of Way. Comments made by Jane Kiely had been forwarded and members were urged to forward any other comments for submission.
12. SW Region LAF Conference – 20 October 2009

Arising from the above:-

- a) a Member sought clarification on when the Forum would be considering the Protected Landscapes consultation. The CCAF Secretary's Representative agreed to clarify Natural England's requirements on the Forum's submission and re-circulate and collate responses from the group accordingly.
- b) a Member of the Forum requested that the CCAF Secretary's Representative send another letter to Cornwall Council's Chief Executive relating to the advice given and how the Council deals with RoW matters.
- c) Robin Moore advised that he had written to previous Forum members as requested.

ANNUAL REVIEW AND APPOINTMENTS TO WORKING GROUPS

(Agenda No. 8)

CAF/23 The Forum considered the report of the Chairman and Head of Environment Services relating to the Annual Review and Appointments to Working Groups.

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

- a) the unique nature of Bodmin Moor due to the complex land ownership and whether the existing group should remain as is for the time being;
- b) the difficulties encountered by individuals who use mobility scooters in gaining countryside access when routes are purposefully blocked by obstacles eg granite boulders together with the Council's (sometimes difficult) role in access management;
- c) the Forum received an overview of the work of the Access and Disability Working Group.

It was moved by Gavin Shakerley, seconded by James Scobie and **RESOLVED** that:-

1. Consideration of the new Moorland Access Working Group be deferred until the next meeting
2. The new Access and Disability Working Group be established with the following members: Adam Hedley, Robert Alderton, Steve Wilson (co-opted member), Gavin Shakerley and James Scobie
3. The new Coastal Access Working Group be established with the following members: James Scobie, Gavin Shakerley, Julie Bate, Jill Goodman, Mike Kent, Jane Kiely and Jeremy Varcoe
4. the proposals contained within the report (4.1 – 4.3.5) be approved

WORKSHOP SESSIONS FEEDBACK

(Agenda No. 9)

CAF/24 The Forum received the following workshop sessions feedback:-

Commons Registrations Act: 6 May 2009

(Agenda No. 9.1)

CAF/24.1 Adrian Bigg introduced the Commons Registration Act feedback and explained that it had been a very interesting day and that the Commons law was a complex area. The essence of the day had been what constituted commons land (as detailed in the 1965 commons register). The Act had implications for full open access and Cornwall would be taking part in a pilot project to look at the information and correcting entries as necessary. There was no cost for re-registrations.

Definitive Map and Modification Orders: 6 June 2009

(Agenda No. 9.2)

CAF/24.2 Adrian Bigg introduced the feedback (a written report had been submitted by Jill Goodman) stating that the main issue was the scale of the problem.

The Chairman advised that this topic had been discussed at the training session held earlier that day and members of the Forum stated that although there may be budget and time constraints the issue remained a very high priority.

In response to comments made, the Living Environment Service Manager advised that the service was starting to make some progress, particularly with Modification Orders (MO's). Specialised staff would be recruited to the Environment Service (previously, MO's were dealt with by Legal Services) and this would enable more effective working to take place.

The Chairman thanked Adrian and Jill for their reports.

Higher Level Stewardship Funding (HLS)

(Agenda No. 1.1)

CAF/24.3 Adrian Bigg introduced the Higher Level Stewardship Funding (HLS) feedback (he had produced a written report which had been previously circulated).

The Chairman reported that he had received an email from Huw Tyler (Natural England) and he would submit a response to this stating that the observations made in the report were personal to the writer and not necessarily the views of the Forum.

It was noted that Roger James and Julie Bate also attended the workshop.

Dog Waste Management

(Agenda No. 9.4)

CAF/24.4 The Forum considered the feedback from the Dog Waste Management workshop (a written report had been prepared by Jane Kiely and circulated previously).

In response to a query raised regarding the changes in legislation which made it an offence to leave dog waste anywhere, the Living Environment Service Manager agreed to clarify which Act this related to.

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

- i) the difficulties in taking enforcement action for dog fouling offences and the possibility of using DNA fingerprinting for dogs in the enforcement process
- ii) the importance of dog fouling as an access issue in the countryside
- iii) the possibility of using parish councils to undertake enforcement action

Arising from the above, the Living Environment Service Manager agreed to take the Forum's comments and concerns to the attention of the Council's Management Team

The Chairman thanked Jane for her report.

Access for People with Disabilities working Group

(Agenda No. 9.5)

CAF/24.5 The Forum had received an update regarding the working group under Agenda item 8.

PROGRESS REPORT ON PUBLIC PATH IMPROVEMENT PROGRAMME (PPIP)

(Agenda No. 10)

CAF/25 The Forum considered the report of the Programmes Manager which detailed the continuing work undertaken by Cornwall Council as Highway Authority to improve the gold network of public paths through the Public Path Improvement Programme (PPIP).

The Programmes Manager and staff were congratulated on their work relating to the PPIP programme.

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

- i) concern that there appeared to be major works not completed. Cornwall Council had a legal responsibility to maintain these paths and as a Forum, its advice to the Council would be that it must meet its legal obligations.

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- ii) should the Council prioritise the upgrading of paths, or bring paths up to the minimum standard?

The Living Environment Service Manager advised that:-

- a) the path status had been reviewed and as a consequence, 63% were classified as gold status. The Service was currently undergoing a challenging budget review process and it was hoped that the Council might be able to secure funding to resource an improvement programme as part of the 'Active Travel' initiative.
- b) there was a constant debate regarding upgrading footpaths v bringing paths up to minimum standard
- c) he would be happy to liaise with Terry Faull and bring an item to the next meeting of the Forum linking the Forum's concerns regarding RoW, and the countryside to the Council's National Performance Indicators eg access by foot, general satisfaction of area and obesity.

It was moved by Robin Moore, seconded by Adam Hedley and
RESOLVED that the report be noted.

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

(Agenda No. 11)

CAF/26 The Forum considered the report of the Programmes Manager regarding progress on actions in the Cornwall Countryside Access Strategy.

In response to comments made by members of the Forum, the Living Environment Service Manager agreed to provide a summary of resources, assets and infrastructure of the service.

It was moved by James Scobie, seconded by Roger James and
RESOLVED that the report be noted.

WORK PROGRAMME

(Agenda No. 12)

CAF/27 The Chairman advised that the work programme had been simplified.

He further advised that he and the Vice-Chairman had approved the Annual Report for 2009/2010 and reference to this in the work programme should be removed.

DATE, TIME AND VENUE OF FUTURE MEETINGS

(Agenda No. 13)

CAF/28 It was noted that the next meeting of the Forum would be held on 24 November 2009. This meeting would be preceded by an informal

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site visit in the morning to view a gold path whilst considering motorcycle and disability access issues. Bissoe was suggested as a venue for this and full details would be sent to members in due course.

The Forum noted future meeting dates as follows:-

26 January 2010 at 2.00pm

23 March 2010 at 2.00pm

ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS OF URGENCY

(Agenda No. 14)

CAF/29 Zennor Flood April 2009 - Coast path

The Living Environment Service Manager advised that following the freak torrential rain storm over the West Penwith area in April during which extensive damage had been caused to the South West Coast Path and other footpaths in the Zennor area, the vast majority of the footpath had been re-opened. The route no longer included road walking and two permanent crossings had been put in place. Work in the area had proved difficult to undertake – it had been necessary to fly helicopters in order to carry out the work involved and the Council had been working with Culdrose to do this.

Many staff and partners including the National Trust and Natural England had worked incredibly hard (including weekends) in order to get the path open and it was encouraging to receive positive feedback from footpath users.

The Chairman congratulated the staff for their hard work in the footpath re-building process.

The meeting ended at 4.52 pm.

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