

CORNWALL COUNCIL

CORNWALL COUNTRYSIDE ACCESS FORUM

MINUTES of a Meeting of the Cornwall Countryside Access Forum held at Council Chamber, Cornwall Council, County Hall, Truro, TR1 3AY on Tuesday 27 September 2011 commencing at 2.00 pm.

Present:- James Scobie (Chairman)
Julie Bate (Vice-Chair)

Adrian Bigg, Gill Derryman, Chris Ferguson, Roger James, Nicholas Jeans, Jane Kiely, Councillor Lugg, Robin Moore, Robert Osborne, Councillor Paynter, Councillor Shakerley, Duncan Thurnell-Read, Peter Tunstall-Behrens and Jeremy Varcoe.

Also in attendance:- Rowena Brebner – Democratic Services Officer
Mike Eastwood – Countryside Access Team Leader

Apologies for absence:- Terry Faull, Joy Thomas and Patricia Thomas.

INTRODUCTION AND WELCOME

(Agenda No. 1)

CAF/18 The Chairman welcomed everybody to the meeting.

DECLARATIONS OF INTEREST - NOT ALREADY DECLARED

(Agenda No. 3)

CAF/19 There were no declarations of interest made.

MINUTES OF THE MEETING HELD ON 26 JULY 2011

(Agenda No. 4)

CAF/20 It was moved by Chris Ferguson, seconded by Councillor Paynter and

RESOLVED that the minutes of the Annual meeting of the Cornwall Countryside Access Forum held on 26 July 2011 were correctly recorded and that they be signed by the Chairman.

MATTERS ARISING OTHER THAN ON THE AGENDA

(Agenda No. 5)

- i) CAF/21 CAF/8 – Update on Natural England

The Chairman advised that the Board of Natural England would be meeting next week. One of the items for consideration would

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be a review of its charges, though the details of this were yet to be clarified. The Chairman further reported that Peter Bowden of Natural England was arranging a meeting locally between them and various organisations due to be held on 11 October that he would attend and report at a future meeting.

ii) CAF/15 Annual Review of Forum's Constitution

The Chairman advised that Natural England had recently requested all Local Access Forums to provide information relating to its Annual Report each year on the 30 November. With this in mind, it seemed sensible to amend the date of the Annual Cornwall Report to coincide with this date.

It was moved by Robin Moore, seconded by Jeremy Varcoe and

RESOLVED that:-

- a) The Annual Report for 2010 – 2011 run from the period July 2010 to 30 November 2011;
- b) In future, the Annual Report be prepared to cover the year to the 30 November.

iii) Minutes

Duncan Thurnell Read requested that the Minutes of the meeting be circulated to Members as early as possible following a meeting.

CHAIRMAN'S ANNOUNCEMENTS

(Agenda No. 6)

CAF/22 There were no announcements to be made.

LOCAL NATURE PARTNERSHIPS - PRESENTATION BY COLETTE HOLDEN, CORNWALL AONB

(Agenda No. 7)

CAF/23 The Chairman welcomed to the meeting Colette Holden, AONB Partnership Manager and Peter Mansfield the Cornwall AONB Chairman. Ms Holden thanked the Forum for the opportunity to attend the meeting and proceeded to outline:-

1. The Natural Environment White Paper
2. NEWP Initiatives for delivery
3. What are Local Nature Partnerships?

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4. What will a Local Nature Partnership for Cornwall and Isles of Scilly do?
5. How will the Local Nature Partnership be initiated?
6. Next Steps – Steering group and wide support

During discussion reference was made to the following issues

- I. The importance of involving Parish Councils in the delivery of Local Nature Partnerships
- II. The contribution of the natural force of the landscape in the wealth and health of Cornwall. The quality of the Cornish landscape was Cornwall's key asset – this was being diluted in the currently proposed new planning process and policy
- III. The role and importance of Parish Plans in protecting the countryside
- IV. The strength of the Cornwall AONB unit

It was moved by Duncan Thurnell-Read, seconded by Jane Kiely and

RESOLVED that a letter be sent to DEFRA and a copy sent to the CEO of Cornwall Council and CM of the AONB Partnership urging the appointed postholder for the implementation of Local Nature Partnerships to ensure that local organisations (eg Parish Councils) be involved at an early stage in the process.

The Chairman thanked Ms Holden for her presentation.

**MINISTERS LETTER TO LAF CHAIRMEN - CHAIRMAN'S RESPONSE
CIRCULATED FOR INFORMATION**

(Agenda No. 8)

CAF/24 The Forum noted the letter which had been sent.

**CONSULTATION ON THE TOWN AND VILLAGE GREEN
REGISTRATION - FORUM TO RATIFY RESPONSE**

(Agenda No. 9)

CAF/25 The Forum considered the draft response to the above consultation which had been prepared by Nick Jeans based upon comments made by Forum Members and for which ratification was sought.

During discussion reference was made to the following issues:-

The wording of the third paragraphs should be amended to read as follows:-

'At the same time several of our members have expressed concern that the system established under the Commons Registration regime is liable to be misused as a means of blocking otherwise permissible developments. Concern has also been expressed that property owners legitimate rights may have been over-ridden and on occasions trespass has been legitimised.'

An additional sentence be added at the end of the seventh paragraph as follows:-

'The subjective criteria should not be adopted.'

Following which is was moved by Jeremy Varcoe, seconded by Jane Kiely and

RESOLVED that the prepared response together with the amendments above, be submitted to DEFRA as the Forum's Formal views.

ONGOING FORESTRY CONSULTATION

(Agenda No. 10)

CAF/26 The Chairman reported that the Independent Forestry Panel were still holding meetings and it was hoped that information would be forthcoming by the end of March/April 2012.

DRAFT NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION - FORUM TO RATIFY RESPONSE

(Agenda No. 11)

CAF/27 The Forum considered the draft response to the above consultation which had been prepared by the Julie Bate based on comments received from Forum Members.

During discussion a suggestion to add the following comments to the response was made:-

Bullet point 4:

4. We are concerned that areas used by people living nearby for recreation, eg dog walking, will, however, be at risk where not specifically protected by a Neighbourhood Plan or Order.

Create bullet point 8.

8. As presently drafted too much depends on how "sustainable development" is interpreted. This term should be more fully defined.

Create Bullet point 9.

9. Any inappropriate development resulting from the new simplified system could detract from the enjoyment of those using the countryside for exercise and recreation. We therefore request that LPAs should have the power to direct a developer to use a Brownfield site where this is available.

Following which it was moved by Councillor Shakerley, seconded by Jane Kiely and

RESOLVED that the prepared response together with the additional comments detailed above, be submitted as the Forum's formal views. Copies to be made to the Head of Planning and Regeneration and the Corporate Director for Planning.

MULTI USE TRAILS - JULIE BATE (Agenda No. 12)

CAF/28 Julie Bate advised that a scheme operating in Gloucester called 'The Trails Trust' had successfully opened a series of multi-use trails. Details of the scheme were available from the website www.trailstrust.org.uk

The Programmes Manager advised of the process within Cornwall which trails could be designated as dedicated ie. maintained by the authority. It was agreed that this would be put on the agenda of the next meeting with further information.

SMALL GRANTS SCHEME (Agenda No. 13)

CAF/29 The Forum watched a DVD outlining some projects undertaken in Berkshire which had been funded through their Council's small grants scheme.

The Programmes Manager advised the Forum that Cornwall Council operated a Community Chest scheme which was administered by local Elected Members within the authority.

Members noted that this scheme due to its level of funding, would be insufficient to assist anything other than small scale projects and a suggestion was made that the appropriate Portfolio holder could be approached to consider some way of awarding financial assistance for capital type projects within the countryside for access.

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It may also be possible to work with the Ramblers and local community businesses to assist with projects within the county.

CORRESPONDENCE TO THE FORUM

(Agenda No. 14)

CAF/30 The Chairman identified the following correspondence that had been received since the last meeting:-

- 1 Ongoing Forestry Consultation letter (circulated 4.8.11)
- 2 Responses to Mr Benyon's letter (circulated 4.8.11)
- 3 Draft National Planning Policy Framework Consultation (circulated 4.8.11)
- 4 Countryside Mobility South West - Project Update 9 (circulated 10.8.11)
- 5 Notification of Restriction – ref 2011086078 (circulated 22.8.11)
- 6 Notification of Restriction – ref 2011086077 (circulated 22.8.11)
- 7 Revision of the Local Validation List - Cornwall Council (circulated 30.8.11)

Arising from consideration of the above, it was suggested that the Head of Planning and Regeneration be invited to attend a future meeting of the Forum to discuss the planning process.

It was moved by Chris Ferguson, seconded by Jane Kiely and

RESOLVED that the Head of Planning and Regeneration be invited to attend a future meeting of the Forum.

- 8 Notification of Restriction – ref 2011086074 (circulated 5.9.11)
- 9 Withdrawal of Restriction – ref 2011045889 (circulated 5.9.11)
- 10 Notification of Restriction – ref 2011086075 (circulated 5.9.11)
- 11 Notification of Restriction – ref 2005030032 (circulated 13.9.11)
- 12 De-registration of various properties at Tremar Coombe, St. Cleer (circulated 26.9.11)

WORKING GROUPS - UPDATE

(Agenda No. 15)

CAF/31 The Following Updates were received:-

COASTAL ACCESS WORKING GROUP - PETER TUNSTALL-BEHRENS

(Agenda No. 15.1)

CAF/32 Peter Tunstall-Behrens gave an overview of the progress of the implementation of the Coastal Access provisions in the Marine Bill.

Currently the only experience we had was from the Weymouth stretch which was first on the list due to the Olympic sailing.

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Following Natural England's proposed route and associated spreading room, there were 13 objections variously from user groups and stakeholders.

These objections were to be considered by a planning inspector and follow two days of a public hearing. Awaiting approval/disapproval of the Secretary of State

Objections concern e.g

- 1) the route where a new route had been suggested rather than using the existing ROW
- 2) spreading room where there may be an interference from climbing activity on an SSSI

A reminder of what spreading room was:

Automatically included any land on the seaward side of the trail. Gardens and golf courses were excepted but owners of holiday parks may have to prove a loss (this was not easily done)

Land inward of the route up to the first natural/man made boundary. This was open to interpretation and other problems. A ditch? A bank? Edge of woodland?

The process included mapping so in theory the new access land would be mapped.

At the objections stage it was important for LAFS to be included as well as Parish Councils, Ramblers etc. Landowners were warned in writing that NE would be visiting their land to decide the new route and invited to 'walk the course' with them during which time they may make suggestions.

However, so far NE had been aggressive in their attitude, outnumbering landowners three against one at the meetings.

The next stretches for consideration were: Kent, Norfolk, Durham, Cumbria and Somerset and it was anticipated that future progress would continue these areas of greatest need rather than looking towards the SW, which was still considered the standard to be achieved elsewhere.

Cost estimated at 1M per annum in staff fees alone but NE were keen to keep this flagship project going and their staff employed at all costs. It would inevitably exceed the budget of 50M over ten years.

As far as CCAF was concerned there would be an enormous amount of new public access over coastal land which most people would welcome, so this was ultimately a landowner's worry as his/her land is given over to

public access with no compensation and this future use of it would be constrained.

Our job at CCAF would be to get involved when the time comes, having a good knowledge of the local situation and its needs and join in the attempt to strike a fair balance between stakeholders and user groups by offering sensible advice and not simply promoting access for the sake of it

MOORLAND ACCESS WORKING GROUP - JULIE BATE

(Agenda No. 15.2)

CAF/33 Julie Bate advised that although no formal response had been received from Natural England, Peter Bowden had indicated that his comments made at the last Forum meeting had been his response.

There had been no progress made regarding the Bodmin Moor Strategy. A suggestion was made to contact Gill Goodman and discuss areas of key interest regarding the Moor.

OS MAPPING WORKING GROUP - ADRIAN BIGG

(Agenda No. 15.3)

CAF/34 Adrian Bigg advised that the recommendations made by the group needed further discussion with the Programmes Manager and it was hoped that these could take place in the near future with a view to progressing this matter at the next Forum meeting.

FUTURE MEETING DATES

(Agenda No. 16)

CAF/35 The Forum noted the future meeting dates.

I) It was agreed that the OS notes – 23 March would be re-circulated to Members.

II) It was agreed that Linda Holloway be invited to attend a future meeting (January 2012) to discuss enforcement on behalf of users and landowners.

III) It was noted that the Appeal by Community Windpower regarding the proposed Davidstow Windfarm had been withdrawn.

IV) the Chairman advised that he was looking into the possibility of a waterbourne meeting on the Fal for the March 2012 meeting to consider local access issues and successes.

The meeting ended at 4.58 pm.

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