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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 25 September 2012 commencing at 2.00 pm.

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

Adrian Bigg, Gill Derryman, Peter Edwards, Terry Faull, Chris Ferguson, Robert Fraser, Roger James, Nicholas Jeans, Jane Kiely, Robert Osborne, Councillor Paynter, Councillor Shakerley, Joy Thomas, Patricia Thomas, Duncan Thurnell-Read and Peter Tunstall-Behrens.

Also in Councillor Phil Parsons.

attendance:-

Officers in

attendance:-

D Attwell – Principal Countryside Officer

R Brebner – Democratic Services Officer

M Eastwood – Countryside Access Team Leader

Apologies for
absence:-

Councillor Double, Councillor Lugg and Jeremy Varcoe.

INTRODUCTION AND WELCOME

(Agenda No. 1)

CAF/16 The Chairman welcomed everybody to the meeting, in particular Robert Fraser attending his first meeting of the Forum, Councillor Phil Parsons attending on behalf of Councillor Double and Graham Ronan, previous Forum Chairman attending as a member of the public.

DECLARATIONS OF INTEREST - NOT ALREADY DECLARED

(Agenda No. 3)

CAF/17 Nick Jeans declared an interest in Item 17 – Cornwall Council Consultation – Charging Framework for Traffic Management at Community and other Events due to Membership of Truro Running Club.

MINUTES OF THE MEETING HELD ON 17 JULY 2012

(Agenda No. 4)

CAF/18 It was moved by Chris Ferguson, seconded by Terry Faull and

RESOLVED That the minutes of the Annual Meeting of the Cornwall Countryside Access Forum held on 17 July 2012 were correctly recorded and that they be signed by the Chairman.

MATTERS ARISING OTHER THAN ON THE AGENDA

(Agenda No. 5)

CAF/19

- i) CAF/6/MATTERS ARISING OTHER THAN ON THE AGENDA/CAF/110/CAF/96 SITE VISIT DISCUSSION – LOSTWITHIEL

Jane Kiely advised that her comments had been made with the intention that the existing paths should be cleared to enable the circular walk to be used.

- ii) CAF/7/CHAIRMAN'S ANNOUNCEMENTS/2/LOCAL NATURE PARTNERHSIP FOR CORNWALL AND THE ISLES OF SCILLY

The Chairman advised that a Steering committee had been formed and further progress should be made in October.

- iii) CAF/7/CHAIRMAN'S ANNOUNCEMENTS/5/1SW CYCLE PROJECT FO LANHYDROCK

Roger James and Chris Ferguson attended the recent presentation by the National Trust and 1SW to explain the details of their Planning Application. Whilst the plan would provide welcome off road cycling facilities for both local people and tourists, concern was expressed about the new entrance for cars which would use the old carriage drive from the Double Lodge, which was a Public Footpath. Insufficient provision had been made to separate cars and walkers on the route. If walkers were forced off the tarmac way onto soft grass it would soon get churned up and slippery to walk on which would mean that it was likely they would prefer to stay on the tarmac and have to be constantly alert for cars – a gravelled path beside the roadway would alleviate this. It was suggested that the Forum endorse these concerns about the effect of increased traffic upon this Public Right of Way.

The Principal Countryside Officer advised that his Service would be submitting a response in respect of the Planning Application.

It was moved by Jane Kiely, seconded by Roger James and **RESOLVED** That a letter be sent to the Council responding to the Planning Application and the National Trust expressing concern about the effect of increased traffic upon the Public Right of Way.

CHAIRMAN'S ANNOUNCEMENTS

(Agenda No. 6)

CAF/20 The Chairman made the following announcements:-

1. Regional Co-ordinator and Huddle

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Training had been provided by Hilary Winter for Mike Eastwood, Julie Bate, Peter Tunstall-Behrens, Adrian Bigg and himself. He was still of the opinion that it would be better use of public funds if Hilary was retained and Huddle scrapped. He was hopeful that Hilary would be able to continue. In the meantime there could be a few more places on Huddle – Forum Members were asked if anyone wished to be considered.

2. Local Nature Partnership for Cornwall and the Isles of Scilly

The formation of this was being followed to ensure that access interests were kept to the fore and Terry Faull would be the Forum's representative. At present the formal acceptance of the scheme was awaited from the Minister.

3. National Nature Reserves

Natural England were still considering the proposed dedication of more access under sec 16 Crow Act 2000 at some National Nature Reserves. They were looking at each individual site, both those owned by Natural England and privately owned ones, to see if they were suitable for more access. In Cornwall the following areas would be considered for higher rights (i.e. horses and bicycles), Golitha Falls Mar 2014; The Lizard and Goss Moor Sep 2014. It was suggested that at some stage, the Forum establishes a working group to deal with this.

4. LAF Conferences

The following conferences would be held:-

- Regional Chairmans conference - November 2012
- SW Regional Conference (possibly held in Dartmoor) - March 2013 at which 4 members per LAF could attend
- National Conference (possibly held in the Midlands) February 27th 2013 – 1 or 2 members per LAF

5. Cornwall Liaison Meeting

This would be held on 16th October 2012, possibly in Truro.

WORKING GROUPS

(Agenda No. 7)

CAF/21 The Following Updates were received:-

COASTAL ACCESS WORKING GROUP - PETER TUNSTALL-BEHRENS

(Agenda No. 7.1)

CAF/22 Peter Tunstall-Behrens gave an update on Natural England's Review of the Coastal Access scheme upon which comments could be submitted. A suggested response to this review had been circulated amongst members of the Coastal Access Working group and was circulated at the meeting.

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During discussion reference was made to the following:-

- a) Whether consideration should be given to introduce a sensible system of arbitration when Natural England and the landowner did not agree;
- b) Whether the landowner should have the right of veto if there were over-riding management issues;
- c) An understanding that common sense must prevail, eg where there were narrow cliff paths there would be a need to move the path landward;

It was moved by Peter Tunstall-Behrens, seconded by Councillor Shakerley and

RESOLVED That the following response be submitted as the Forum's formal views:-

1. That Natural England should try to use existing trails (ie the South West Coast Path for example);
2. Proper account must be paid of landowners' concerns when determining where coastal access will go;
3. Spreading room landward of the trail must not be designated unless the landowner agrees;
4. existing CROW access land which happens to be on the coast should not automatically be designated as coastal access land.

MOORLAND AND OPEN ACCESS WORKING GROUP - JULIE BATE
(Agenda No. 7.2)

CAF/23 Julie Bate advised that the Moorland and Open Access Working Group had met on 21 September and discussed improving access on Bodmin Moor focusing on the following five areas:-

1. Isolated sites in CROW land;
2. Fencing and obstructions;
3. The need to identify access and egress points onto CROW land;
4. The need to look at peoples journeys and destinations using CROW land as a means of access;
5. The need to make people aware of access points (signage and identification on OS maps).

The Council should look to establish a policy taking into consideration the points detailed above.

The Working Group would meet with a representative from Natural England to discuss this and this would be arranged by the Principal Countryside Officer. The Council in general did not have the resources at the moment to undertake this type of work, however, the Principal Countryside Officer advised that it may be possible to obtain resources that could make improvements in the Caradon Hill area. He further advised that the Council would try and address the current lack of policy and discuss practical short term solutions.

During discussion reference was made to the following:-

- a) The shortcomings of the area would remain unless someone took the initiative in providing solutions. Reference was made to Siblyback Lake where, prompted by a member of CCAF, the Southwest Lakes Trust Manager had asked the fencing contractor to provide a section of post and rail fence where a stile could be easily installed at a future date and in the meantime enable people to climb over onto open access land. If this type of approach could be replicated in other areas it could provide a low cost interim solution to some of the problems being encountered;
- b) Some areas of Bodmin Moor were fenced off to protect the public from mineshafts;
- c) Bodmin Moor was a vast area with very different aspects to it;
- d) The Council should prioritise the formation of a Strategy for Moorland.

**RIGHTS OF WAY AND DEFINITIVE MAP WORKING GROUP -
ADRIAN BIGG**

(Agenda No. 7.3)

CAF/24 Adrian Bigg had prepared a briefing paper, copies of which were circulated at the meeting, which detailed current key issues and requested more information to enable the working group and the Forum to give appropriate advice to the Council on Rights of Way issues.

During discussion reference was made to the following:-

- a. Despair at the lack of progress from Cornwall Council;
- b. Fears that the Forum were not taken seriously by the Council;
- c. The Forum should try and be positive;
- d. The Working Group was happy to meet with officers to discuss the briefing paper.

The Principal Countryside Officer agreed to provide a detailed response to the questions raised in the briefing paper to a future meeting of the Forum and to meet with the working group.

PROPOSED SMALL GRANTS SCHEME - VERBAL UPDATE BY JULIE BATE

(Agenda No. 8)

CAF/25 Julie Bate gave an update on the proposed Small Grants Scheme. She had met with Alan Jefferies, the Parish Council and the Principal Countryside Officer and it was hoped to implement the scheme over the next few months as a pilot project through the Local Maintenance Partnership. This was still dependent on the bid to ECLAG being successful which it was hoped would be submitted in the next couple of weeks. If this approach worked it could possibly be rolled out to twelve other parishes and eventually more.

TRAC PROJECT UPDATE - STEVE WOOD

(Agenda No. 9)

CAF/26 The Chairman welcomed to the meeting Steve Wood, Environmental Projects Team Leader. The Forum noted the update on the TRAC Project as follows:-

1. DEFRA had granted the Council an extension period of 3 months so that they could continue with negotiations;
2. Unfortunately, no further progress had been made with the Bude element of the project;
3. The Council was committed to the project in the long term and was hopeful that this could be enabled via alternative grant funding schemes;
4. In Launceston, Compulsory Purchase Order Notices had been served, however, negotiations with landowners were still continuing;
5. Two Planning Applications had been submitted for the Launceston scheme and were currently live;
6. The Caradon Trail would run along the highway

During discussion reference was made to the following:-

- a. The Launceston section was a far cry from the original idea - half the trail would be on the road, and the other half on an old railway bed. It seemed that negotiations with the Railway had been unsuccessful;
- b. The track was already used by pedestrians and whilst it was not perfect, it was better that something was achieved rather than nothing.

In response to questions raised, the Environmental Projects Team Leader advised that:-

1. There were a number of on-road sections and the issues relating to this were being addressed through discussions with the road safety department. 35% of the trail was on-road;
2. An enhanced trimming scheme would be used to keep vegetation clear;
3. The Newmills to Egloskerry part of the route would be laid to the side of the railway track using less permanent track construction to assist with the steam railways future aspirations;

Following a full debate, it was moved by Peter Edwards, seconded by Chris Ferguson and

RESOLVED That the Forum submits a letter of support for the Planning Applications.

It was noted that individuals could submit comments on the Planning Applications.

UPDATE ON CORNWALL COUNCIL'S ACCESS STRATEGY REVIEW

(Agenda No. 10)

CAF/27 The Chairman welcomed to the meeting Rachael Bice, Waste & Environment Policy & Performance Team Leader who provided an update on Cornwall Council's Access Strategy Review as follows:-

Plans for a mid-term review of the Council's Access Strategy were in place and the review would cover three key areas:-

- It would seek to establish the value of access in the natural environment using national and local data where available (eg the Green Infrastructure Strategy);
- Development of the role of the Local Maintenance Partnerships – progress/improvements opportunities in pilot programmes;
- Policy Change and Development.

The Forum would be consulted through a report which would be brought back to a future meeting the Forum.

During discussion reference was made to the following:-

- a) It was disappointing to see another review when this Forum had already identified what needed to be done;
- b) That Cornwall's footpaths had scored poorly in a recent Ramblers survey;
- c) Both inland and coastal path access was important;

In response to questions raised, the Forum was informed of the following:-

- 1) This mid-term review should be completed by Spring 2013. The full Strategy review, which would be a much more detailed process, needed to be completed by 2017;
- 2) There was a need to fully consult with Members on the review proposals and there should be strong and robust links with the Health and Wellbeing agenda.

ASSET SURVEY - STEVE WOOD

(Agenda No. 11)

CAF/28 Steve Wood, Environmental Projects Team Leader who gave an overview of the Council's Asset Survey as follows:-

1. The merging of the former District and County Councils meant that the Council held 2,000 land assets, 3,500 km Public Rights of Way and it would be useful to obtain an inventory and assessment of the condition of these;
2. This survey would list all the assets and their condition across the whole of the Environment Service (including cemeteries, heritage sites, green spaces, closed landfill sites);

3. The survey would take two years to complete.

In response to questions raised, the Forum was informed that Environmental Stewards working with relevant experts where necessary would undertake the survey, however, it may be possible to use other resources eg local Parish Councils, as long as the approach taken was consistent across the authority.

MANAGING RIGHTS OF WAY ISSUES

(Agenda No. 12)

CAF/29

The Forum received a presentation from the Principal Countryside Officer covering the following areas:-

- i. The PROW defect reports handling process – the roles of Cornwall Council and Cormac Solutions Limited;
- ii. Information inputs – sources of information
- iii. Data analysis – a breakdown of the types of complaints that we receive and how many have been resolved
- iv. Responding to reports in the future. Moving from using CAMS to a WDM system and adopting an asset management approach

In response to questions raised by the Forum, the Principal Countryside Officer advised that there needed to be greater consistency in recording how complaints are dealt with and that this issue would be addressed

Copies of the presentation slides would be appended to the minutes.

PATHS 4 COMMUNITIES - UPDATE ON TAKE-UP

(Agenda No. 13)

CAF/30 The Forum noted the information received indicating which Town and Parish Councils may be submitting an application to the Paths 4 Communities Scheme.

During discussion reference was made to the following:-

1. The complicated nature of the scheme and it that it would be useful if guidance on the application process could be made available for Town and Parish Councils in a digestible format from Natural England;;
2. The role of Community Network Managers in promoting the scheme;
3. The Principal Countryside Officer suggested that Forum members could attend their local Town/Parish Council meetings and discuss the scheme as a direct way to generate interest and to promote the LAF.

It was moved by Peter Edwards, seconded by Nick Jeans and

RESOLVED That Jane Yates from Natural England be contacted expressing the Forum's views, asking if guidance on the scheme could be made available for Town and Parish Councils.

ANNUAL REPORT

(Agenda No. 14)

CAF/31 The Forum considered the Draft Annual Report which had been circulated previously.

The Chairman advised that Natural England had altered the date which the Annual Report should cover and suggested this be applied to next years report.

It was moved by Jane Kiely, seconded by Councillor Shakerley and

RESOLVED That the Annual Report 2011/2012 be approved and circulated to Natural England in its current format.

THE COMMONS ACT 2006 - CARNYORTH COMMON - APPLICATION REFERENCE 2795

(Agenda No. 15)

CAF/32 The Forum considered correspondence received relating to an application under the Commons Act 2006, Section 22 – Schedule 2 (4) to register waste land of the manor not registered as common land at Carn Kenidjack including Carnyorth, Botallack and Truthwall Commons, in the parishes of St Just-in-Penwith and Sancreed.

During discussion reference was made to the following:-

- a) A comment that the Forum should not support the application;
- b) Support for the application - if successful, it would enhance the current access to include horse riding.

Martin Wright, Commons and Greens Registration Officer, advised that the Planning Inspectorate would determine the application and little consideration would be given to the number of representations received in connection with the application.

It was moved by Adrian Bigg, seconded by Duncan Thurnell-Read and

RESOLVED That a letter of support be submitted in respect of the above application as follows:-

'The Forum is aware of the value of Carnyorth Common to the local community and also notes that if the Application for Registration is successful, as it lies within the old Urban District of St Just, the common will also be subject to S193 of the Law of Property Act 1925. This section grants rights of access for air and exercise to the public and this has been deemed to include horse riding.

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The Forum therefore recognises that if successful the registration would enhance access rights to include horse riding. The Forum therefore welcomes the application and wishes that due legal process continues to make the decision according to the evidence available.'

CORRESPONDENCE TO THE FORUM

(Agenda No. 16)

CAF/33 The Forum noted the correspondence which had been received since the last meeting.

ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS OF URGENCY

(Agenda No. 17)

CAF/34 Cornwall Council Consultation – Charging Framework for Traffic Management at Community and other Events

The Chairman advised that the Council was reviewing its policy for the support of Traffic Management at Community and other Events, copies of the consultation documents were circulated at the meeting.

During discussion reference was made to the following:-

1. The consultation proposals for charging at Events seemed to go against the Government's Big Society agenda which supported volunteering, and promoted the participation in sport following the Olympic legacy. Therefore, the Forum might consider commenting that it did not support the proposals;
2. The Council was proposing to introduce the charges due to the not insignificant cost in the management at Community and Other Events;
3. It did not seem a good idea to charge for pedestrian only events;
4. Individuals could respond to the consultation.

It was moved by Nick Jeans, seconded by Jane Kiely and

RESOLVED That the Forum advises the Council that, in the context of Government Policies – Big Society, Volunteering, the proposal would have implications for those who were involved in sporting events, young people and those wishing to have access to the countryside.

NOTED THAT

Nick Jeans declared an interest in this item as Vice-Chairman of Truro Running Club, which would be affected by the proposals.

The meeting ended at 5.25 pm.

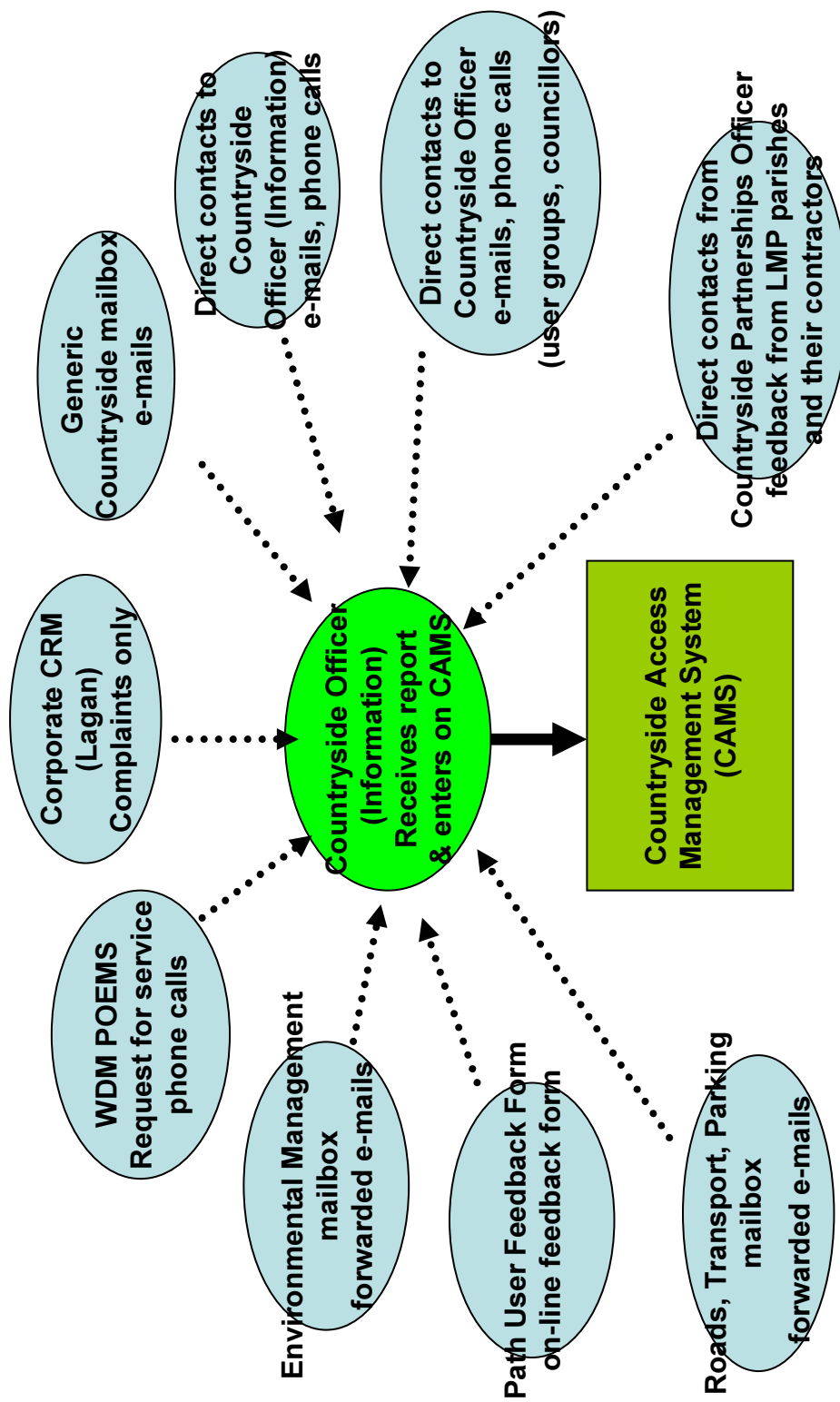
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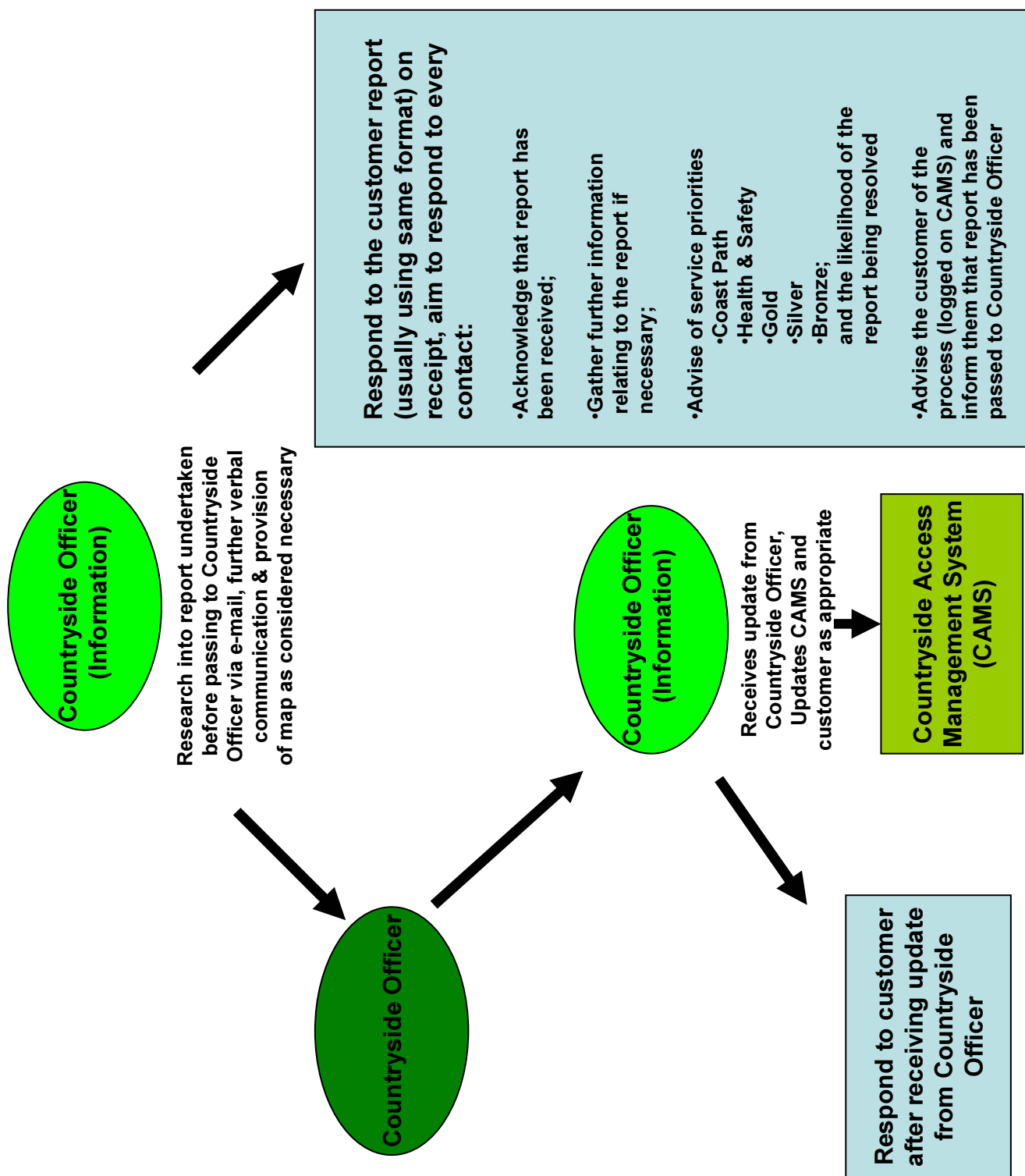
[The agenda and reports relating to the items referred to above are attached to the signed copy of the Minutes].

Rights of Way Reports Handling Process

Cornwall Council
Cormac Solutions Limited

- Information Inputs





- CAMS Reports Analysis April 2011 to Current

	New Issues Raised	Issues Resolved
	1093	458
• Bridges	4%	4%
• Drainage	2%	2%
• Gates	4%	7%
• Obstructions	27%	26%
• Signs	14%	8%
• Steps	2%	1%
• Stiles	8%	9%
• Terrain	18%	14%
• Vegetation*	22%	29%

- * Vegetation issues are not logged on CAMS if the path is on the cutting schedule of a Local Maintenance Partnership (LMP) parish due to the overwhelming volume of calls received during cutting season. Instead the parish is contacted and advised that a report had been received and asked to investigate. Anyone making a report is contacted and told about LMP and that the parish will be contacted and asked to investigate with their contractor. The customer is usually advised to get back in touch if the problem is not resolved but aren't contacted as a matter of course to be advised when the path has been cut. However for non-LMP parishes an issue would be logged in the usual manner on CAMS.