

CORNWALL COUNTRYSIDE ACCESS FORUM (CCAF)

MINUTES OF THE MEETING HELD ON TUESDAY 24 OCTOBER 2017

Date: Tuesday 24 October 2017
 Time: 2.00 pm
 Venue: Grenville Room, Cornwall Council, County Hall, Treyew Road, Truro
 TR1 3AY

Present: Kay Driver (Chairman)

Adrian Bigg, Gerry Brain, Steve Church, Jim Flashman CC,
 Robert Fraser, Nicholas Jeans, Esther Kieboom, Matt Luke CC,
 Jacqueline Merrick, Richard Tufnell and Cherilyn Williams CC

Apologies: Ellie Bennett, Kevin Boshier, Carolyn Boyce, Andrea Sandford, Janet Shearer and Lucy Wilson

Minute no		Action by
CAF/23	Declarations of Interest (on matters included in the agenda) There were no declarations of interest.	
CAF/24	Vision for the Cornwall Countryside Access Forum The Chairman put forward the following suggestions in respect of a Vision for the Cornwall Countryside Access Forum:- (i) To encourage growth in the Rights of Way network, particularly in respect of new housing developments, for mental and physical health and wellbeing; (ii) To encourage access for under-represented groups. The Chairman invited comments and further suggestions for the Vision from the Forum, which included: (i) That education was key, and proper and educated access should be promoted; (ii) Rigorous enforcement should be pursued as a deterrent to transgressors; (iii) Raising awareness with farmers of the benefits	

of engaging in the High Level Stewardship scheme and also encouraging them to fence along public footpaths on their land to protect them.

There followed some discussion in respect of the pros and cons of fencing along footpaths; using grazing animals to maintain vegetation along public footpaths; and sheep worrying and farmers' rights to address dogs out of control.

In response to comments and questions raised by Forum Members, the Head of Natural Environment confirmed that:

- (i) Cornwall Council had previously engaged with the National Farmers Union and Kennel Club in respect of stock worrying and out of control dogs, and potentially consideration could be given to re-engaging with them on this issue;
- (ii) Parish Councils were not required to hold third party insurance and only held Public Liability insurance to cover workers on the land.

The Chairman's request that engagement with farmers be put into the Forum's Workplan was acknowledged.

Following consideration of the matter, it was **AGREED** that

1. The Forum's vision be:
 - To encourage growth in the Rights of Way network, particularly in respect of new housing developments, for mental and physical health and wellbeing;
 - To encourage access for under-represented groups;
 - To promote proper and educated access to the countryside;
 - To engage with farmers, raising awareness of the benefits of participation in the High Level Stewardship scheme.
2. To pursue re-engagement with the National Farmers Union and Kennel Club in respect of dogs out of control and worrying stock.

ME

	3. Engagement with farmers be included in the Forum's Workplan.	ME
CAF/25	Cornwall Council Asset Survey and Continuing Inspections (This item was taken after Agenda No.8 (Environmental Growth Strategy – Updates from Individuals) to allow the Countryside Team Leader time to arrive). Consideration was given to the presentation in respect of the Cornwall Council Asset Survey given by the Countryside Team Leader, the main points of which included: (i) How the assets of the former 6 District Councils and Cornwall County Council, brought together under one umbrella, were being risk assessed and defects categorised; how the revenue and capital work programme was being prioritised; and how programmed inspections were being undertaken; (ii) The significant diversity of natural environment assets, such as public open spaces, equipped play areas, parks, ports and harbours, beaches, and public conveniences; (iii) The new risk matrix approach that had been developed together with Zurich insurance, which ensured that the Council had a defendable methodology in place, and how this was used to assess risk and response times. In response to questions and comments from Forum members, the Countryside Team Leader and Head of Natural Environment Services confirmed that: (i) A copy of the presentation would be circulated to Forum members; (ii) Any access or safety issues could be reported by members of the public via the Council's website or by telephone. Details of how to do this would be circulated to members following the meeting; (iii) It was important to maintain a consistent approach on highways and tree issues; (iv) Some initial technical problems hindered the assessment of the use of the path networks, but these were now underway; (v) Bronze paths comprised only 5% of the footpath network and Silver paths comprised 35%;	

	(vi) A cyclical regime for maintenance of the path network was ideal, but unfortunately this was subject to available resources; (vii) A member's comment that the Cornwall Asset Survey should inform the Local Maintenance Partnership was acknowledged; (viii) The inspection software system did not yet integrate safety management and functionality, however a fully functional asset management system was being worked towards; (ix) Most obstructions were not regarded as safety issues as they could be circumnavigated, particularly by walkers, although it was acknowledged that it was potentially harder for horse riders to do; (x) Inspectors were provided with IT which they used to record the condition of the asset and any defects. The software also flagged up any asset requiring an inspection; (xi) The time of year and the level of use of the relevant asset were taken into account when assessing risk and response times; (xii) Groups such as the Ramblers and other volunteer groups already undertook path clearing work. CORMAC currently co-ordinated volunteers, and anyone interested in volunteering could be signposted there. Following consideration of the matter, it was AGREED that 1. The information be noted; 2. A copy of the presentation be circulated to Forum members, together with details of how members of the public could report obstructions, defects and health and safety issues.	TL
CAF/26	Minutes of the meeting held on 18 July 2017 It was moved by Councillor Flashman, seconded by Nick Jeans, and RESOLVED that the Minutes of the meeting of the Cornwall Countryside Access Forum held on 18 July 2017 were correctly recorded and that they be signed by the Chairman. In respect of Minute No. CAF/4, paragraph 2: - The Chairman enquired whether it was possible for a temporary appointment to the Forum to be made, given the vacancies which had arisen	

	due to members' resignations, in response to which the Secretary's Representative read out paragraph 4.3 of the Forum's constitution, which confirmed that appointments to the Forum were made through a formal recruitment process. Nick Jeans added that previously, an enquiry regarding the possibility of the co-option of members to the Forum had been made, in response to which it had been confirmed by the Council's Legal Services that this was not possible under the terms of the Forum's constitution. - Councillor Flashman stated that he had resigned his membership of the Mount Edgumbe Joint Committee and had been replaced by Councillor Pugh. It was AGREED that the information be noted.	
CAF/27	Matters Arising Consideration was given to the following matters: (i) <u>Implementation of the Environmental Growth Strategy (Min No. CAF/5):</u> - With regard to discussion point 7: - The Chairman requested that a letter now be drafted and sent to those parish councils which had withdrawn from the Local Maintenance Partnership (LMP) to determine the reasons for this and to encourage them to consider rejoining the scheme. In response to a Forum member's query, the Head of Natural Environment Service confirmed that 170 parish councils were currently in the LMP; - With regard to the AGREED action 3: - The Chairman suggested that following Caroline Sargent's resignation, she be the temporary Forum representative until such time it became clear what would be required, which was AGREED. (ii) <u>Matters Arising (Minute No. CAF/8):</u> - <u>Bullet point (i) (CAF/63 Chairman's Announcements – (i) Agenda No.6 (Maintenance of Long Distance Trail Routes in Cornwall):-</u> The matter of Category 5 and 6 roads had been included on the Forum's Work Programme, and it was intended to invite	

	the Head of Highways and Infrastructure to the Forum's Spring meeting to give a presentation; - <u>Bullet point (ii) (CAF/70 Moorland and Open Access Working Group)</u> Councillor Flashman stated that Councillors Daw and Eddy were Cornwall Council's representatives on the Bodmin Moor Committee. The Police were also involved, in particular to deal with traffic speed issues. In response to a Forum member's query, Councillor Flashman stated that the Bodmin Moor Committee comprised land owners and tenants; - <u>Bullet point (iii) (CAF/72 Rights of Way and Definitive Map Working Group)</u> Robert Fraser clarified that in respect of the Countryside and Rights of Way (CRoW) Act 2000, consultations were still being held on Wales extending beyond the 2026 Definitive Map deadline; - <u>Bullet point (iv) (CAF/75 Work Programme):-</u> The Chairman stated that the National Access Adviser, CLA, had indicated that as it was unlikely that the reforms would be implemented before Spring 2018, it was more appropriate to consider a presentation at the Forum's meeting in January 2018. Following consideration of the matters raised, it was AGREED that 1. The information in respect of the above matters be noted; 2. A letter be sent to those parish councils which had withdrawn from the Local Maintenance Partnership to determine the reasons for this and to encourage them to consider rejoining the scheme; 3. Following the resignation of Caroline Sargent, the Chairman be the temporary Forum representative regarding investigations of funding opportunities; 4. The Head of Highways and Infrastructure be invited to the Forum's Spring 2018 meeting to give a presentation on Category 5 and 6 roads.	ME KD ME
CAF/28	Chairman's Announcements The Forum considered the following announcements made by the Chairman:-	

	(i) <u>Consultation: Community Infrastructure Levy – Draft Charging Schedule</u> With regard to the consultation response on the Community Infrastructure Levy – Draft Charging Schedule included in the agenda, the Chairman thanked Forum members for their feedback. The Chairman stated that she had added a note to request that Community Infrastructure Levy monies be spent on public rights of way where they are related to developments. Councillor Flashman stated that when considering planning development applications, Members of Cornwall Council were very aware of the importance of footpaths and made every effort to ensure that existing footpaths were observed and new routes provided wherever possible; (ii) <u>Budget Allocation</u> With regard to the letter to the Deputy Leader of Cornwall Council included in the agenda, the Chairman stated that the intention was to encourage consideration to be given to providing capital spend to grow and enhance multi use leisure trails for the benefit of public health and wellbeing. Councillor Luke stated that many visitors to Cornwall came to walk its pathways and thereby bring revenue to the County and it was therefore important that they were adequately maintained. The Chairman requested the support of the 3 Cornwall Councillors on the Forum in pursuing the Forum’s aims. Following consideration of these matters, it was AGREED that the information be noted.	JF/ML/CW
CAF/29	Environmental Growth Strategy - Updates from Individuals The Forum considered the following updates from individual members of the Forum: (i) <u>Linking Neighbourhood Plans with the Environmental Growth Strategy</u> The Chairman stated that the matter of linking Neighbourhood Plans with the Environmental Growth Strategy would be developed by the Head of Environmental Growth and Partnerships.	

The Chairman requested that on behalf of the Forum, the Secretary's Representative invited the Portfolio Holder for Environment and Public Protection to attend a future Forum meeting or alternatively to meet with a small group of Forum members to discuss the matter.

(ii) Broader Funding Opportunities

The Chairman referred to the previously circulated update provided by Caroline Sargent before her resignation from the Forum due to a change of role.

(iii) Raising Awareness of the Forum with Parish Councils

Nick Jeans stated that it was important to engage with parish councils and to make them aware of their responsibilities with regard to public access, and Councillor Flashman suggested that the local Member was the best person to work with them.

Councillor Flashman added that he had visited several parish councils and noted that some had no footpath plans and also noted that many sought to reduce workforce costs. The Countryside Access Team Leader stated that in the past there had been a footpath liaison officer and suggested that potentially the Forum could consider facilitating a similar post in the future.

Councillor Luke suggested that Community Network Area meetings provided a good opportunity to raise the profile of the Forum, to inform attendees of any grants that may be available to parish councils and to provide contact details.

The Head of Natural Environment Service stated that he would arrange for the Secretary's Representative to be provided with the contact details of the 14 Community Network Areas across Cornwall to be forwarded to all Forum members.

Councillor Flashman suggested that a copy of the Minutes of the meeting be sent to the Community Network Areas, including a note that Forum members would like to attend to talk about the work of the Forum and its aims and vision.

(iv) Forum Engagement with Young Farmers Groups

The Chairman stated that she had had discussions at Duchy College with regard to a

	representative of Young Farmers groups to be involved with the Forum. (v) <u>Engagement with Farmers and Landowners</u> Councillor Flashman stated that many farmers were unfamiliar with the work of the parish councils, particularly in respect of footpath maintenance, and were also unaware of the grants that were available through the High Level Stewardship (HLS) scheme. He suggested that a small group of Forum members attended parish council meetings to raise awareness of these initiatives. Following consideration of these matters, it was AGREED that 1. The information be noted 2. On behalf of the Forum, the Secretary's Representative invites the Portfolio Holder for Environment and Public Protection to a future meeting or to meet with a few Forum members to discuss the linking of Neighbourhood Plans to the Environmental Growth Strategy; 3. The Head of Natural Environment Service arranges for the contact details of all Community Network Areas in Cornwall to be sent to the Secretary's Representative for forwarding to all Forum members; 4. A copy of the Minutes of the meeting be sent to all Community Network Areas, together with a note that a representative from the Forum would like to attend to talk about the work of the Forum, its aims and vision.	Secretary's Representative JJ Secretary's Representative
CAF/30	Working Group Updates The Forum considered the updates given by the Chairman or Representative of the following Working Groups and subsequently AGREED that the information be noted:-	
CAF/31	A30 Road Improvements Task and Finish Group Consideration was given to the verbal update given by Nick Jeans in respect of the A30 Road Improvements Task and Finish Group, in which he stated that a meeting with a representative of the Highways England team was expected before the end of December 2017.	

CAF/32	Coastal Access Working Group Consideration was given to the previously circulated update included in the agenda, presented by Steve Church in respect of Natural England's (NE) plans for the South West Coast Path (SWCP). The Forum was asked to ratify the recommendations made in the report and also to note the report. Following consideration of the report and recommendations, it was AGREED that: 1. The report of the meeting with Natural England held on 15 August 2017 be noted; 2. The comments and suggestions of CAWG as set out in the notes of the meeting of 9 August 2017 be approved as the Forum's formal position. On behalf of the Forum, the Chairman expressed thanks to Steve Church and to CAWG for the work undertaken.	SC
CAF/33	Consultation Response Working Group It was noted that no consultations had been received since the Forum's meeting held on 18 July 2017.	
CAF/34	Countryside Access Strategy Task and Finish Group Consideration was given to the verbal update given by Nick Jeans in respect of the Countryside Access Strategy Task and Finish Group, in which he stated that a meeting with the Head of Environmental Growth and Partnerships was due in November 2017. In response to comments and questions from a Forum member, the Countryside Access Team Leader confirmed that the publication of the Cornwall Countryside Access Strategy had been deferred and consequently it had been rescheduled on the Forum's Work Programme to May 2018.	
CAF/35	Funding Opportunities Task and Finish Group Consideration was given to the role of the FOTFG. The Chairman confirmed that it had been set up to explore external sources of funding.	

	Esther Kieboom confirmed that as she considered that she could not usefully contribute anything to this, she wished to resign from the group. The Chairman stated that she wished the FOTFG to remain whilst monies from the Community Infrastructure Levy were being pursued. In response to comments and questions from Forum members, Head of Natural Environment Service suggested that the Community Partnership Officer be invited to a future Forum meeting to give a presentation on the co-ordination of volunteers. It was AGREED that the Community Partnership Officer be invited to a future Forum meeting to give a presentation on the co-ordination of volunteers, and that this be added to the Forum's Work Programme.	ME
CAF/36	Moorland and Open Access Working Group Consideration was given to the update given by Bob Fraser in respect of the Moorland and Open Access Working Group, in which he summarised the notes included in the supplementary agenda. In response to comments and questions from Forum members, Bob Fraser, Nick Jeans and the Countryside Access Team Leader confirmed that: (i) Registered Common Land and Village Greens were not currently recorded on the Council's website map, although it was included in the Government's 'Magic Map' website. MOAWG was encouraging Cornwall Council to pursue the transfer of this information as soon as practicable; (ii) Most Common Land was owned, although access to it was available to everybody; (iii) Different parcels of Common Land gave different rights to different people. These rights could include raising stones, digging peat, taking firewood or a right to swale the land. People having common rights were 'Commoners' and those who owned the land were 'Common Owners'. Following consideration it was AGREED that Cornwall Council be advised that: 1. Adding Commons and Village Greens	ME

	information to Cornwall Council's online mapping would be useful to the public and that it should be added as soon as resources permit; 2. A policy on enforcement on Commons and Village Greens should be included in the new Cornwall Countryside Access Strategy; 3. Enforcement action should be taken as resources permit where it is considered likely to result in a significant public benefit. There followed some discussion regarding Forum representation on the Bodmin Moor Committee, following which it was AGREED that Bob Fraser be the Forum's nominated representative.	RF
CAF/37	Multi Use Trails Working Group The Forum noted that the Multi Use Trails Working Group had not met since the Forum's meeting on 18 July 2017.	
CAF/38	Rights of Way and Definitive Map Working Group Consideration was given to the verbal update given by Adrian Bigg in respect of the Rights of Way and Definitive Map Working Group, in which he highlighted: (i) Since his presentation on Project 2026 at the Forum's meeting held on 31 January 2017, the software had become more sophisticated and had been taken up by several counties; (ii) In Cornwall, approximately 700 additional paths had been added to the list of possible candidates shown on the 2026 website for Definitive Map Modification Order applications for additions to the Definitive Map. This was in addition to those originally listed. In response to comments and questions from Forum members, the Countryside Access Team Leader and Head of Natural Environment confirmed: (i) The Council's resource for dealing with Definitive Map Modification Orders (DMMO) had not increased and a business case would need to be made for additional resources in the event the requirements became significant; (ii) The Secretary of State would be prioritising the DMMO list in Cornwall.	

CAF/39	Correspondence to the Forum There were no matters arising from correspondence received for consideration at the meeting.	
CAF/40	CCAF Work Programme The Forum considered the CCAF Work Programme tabled at the meeting, presented by the Countryside Access Team Leader. In response to comments and questions raised by Forum Members:- (i) In respect of Coastal Access:- Steve Church stated that it was too early to invite Richard Andrews, Natural England, to give a presentation to the Forum and suggested that it was better left until the first draft proposals for Cornwall were known; (ii) In respect of Major Road Improvements:- Nick Jeans stated that the Forum's input in respect of cycle access and footpaths regarding the A30 St Austell consultation had been accepted and Government's decision on financing the project was now awaited. Councillor Flashman stated that funding was being sought for road improvements from Saltash to the Carkeel roundabout, supported by Sheryll Murray MP and Councillor Toms; Councillor C Williams stated that the issue of poor air quality at sites in Camelford was being re-examined. (iii) The Chairman requested that the suggested presentations on Long Distance Trails, Category 5 and 6 Roads, the Transport Strategy, the Environmental Capital Programme projects and Registered Commons and Village Greens be pursued, which was acknowledged. Following consideration of the Work Programme, it was AGREED that 1. The information be noted; 2. Presentations on Long Distance Trails, Category 5 and 6 Roads, the Transport Strategy, Environmental Capital Programme projects, and Registered Commons and Village Greens be pursued; 3. The Co-ordination of Volunteers be added to the Work Programme;	ME ME

	4. A meeting with the Portfolio Holder for Environment and Public Protection be requested, as discussed earlier in the meeting.	Secretary's Representative
CAF/41	Date, Time and Venue of Future Meetings The Forum noted the dates of future meetings. The Secretary's Representative was requested to reschedule the Forum's AGM to earlier in July 2018, if possible, to avoid the school holidays, which was AGREED .	Secretary's Representative
CAF/42	Any Business the Chairman Considers to be Urgent There was no urgent business for consideration.	

The meeting ended at 4.45 pm.

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