



**Devon Countryside Access Forum**  
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## **Forty-Eighth Public Meeting Devon Countryside Access Forum**

**Great Moor House, Bittern Road, Sowton, Exeter EX2 7NL**

Thursday, 12 October 2017 at 10.00 am

The meeting will be open to the public in accordance with provisions of reg.7 of The Local Access Forums (England) Regulations 2007 (under s 94 and 95 of the Countryside and Rights of Way Act 2000).

### **A G E N D A**

1. Apologies
2. Declaration of interests
3. Minutes of the Forty-Seventh meeting held on 27 April 2017 (Pages 1 - 10)
4. Matters arising
  - 4.1 Dog advice
  - 4.2 Exe Estuary Partnership - dog walking code of conduct
  - 4.3 Minor road network
  - 4.4 DCAF Annual Report 2016/17
5. Correspondence log (Pages 11 - 16)
6. Public questions
7. DCAF member attendance at events/meetings and working groups

The Devon Countryside Access Forum is a local access forum. It is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CROW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

- 7.1 National Local Access Forum Conference (Pages 17 - 20)
- 7.2 Equestrian publicity and trail surfacing working group (Pages 21 - 28)
  - To note and approve email from working group to Lesley Garlick, DCC (Explore Devon website). (Page 21)
  - To note and approve letter from working group to Steve Gardner, Public Rights of Way Senior Officer. (Pages 23 - 24)
  - To consider response from Steve Gardner, Public Rights of Way Senior Officer. (Pages 25 - 26)
  - To consider and approve Trail Principles draft statement. (Page 27)
- 7.3 Training day

Report on joint training day with Dartmoor Access Forum at Fingle Woods.
8. Minutes of the Public Rights of Way Committee held on 6 July 2017 (Pages 29 - 32)
9. Public Rights of Way update
10. Presentation by Natural England

David Trump and Jane Beech, Lead Advisers, Coastal Access. The England Coast Path in Devon: Issues and opportunities for improving access from Kingswear to Cremyll (South Devon) and Combe Martin to Marsland Mouth (North Devon).
11. To note and approve responses to consultations
  - 11.1 Coastal access - Lyme Regis to Kingswear. Response to Natural England (Pages 33 - 36)
  - 11.2 Running Free (consultation on preserving the free use of public parks) - Department for Communities and Local Government (Pages 37 - 38)
  - 11.3 Meddon Green Local Nature Reserve - North Devon Biosphere consultation (Pages 39 - 40)
  - 11.4 Local Plan modification - North Devon and Torridge District Councils (Pages 41 - 42)
  - 11.5 BS5709 Gaps, Gates and Stiles - British Standards Institute (Pages 43 - 44)
12. Current consultations

13. Disability access

13.1 DCAF disability access position statement (Pages 45 - 48)

To note and approve disability access position statement.

13.2 Disability access at Sidmouth and the South West Coast Path (Pages 49 - 58)

To note and approve report compiled by Gordon Guest.

13.3 Disability access at Dawlish

To consider request for DCAF advice at site in Dawlish.

14. Deregulation Act 2015

15. Any other business

16. Date of next meeting

Notice of questions from the public should be submitted in writing four working days before the Forum meeting. At the discretion of the Chair members of the public may be invited to ask a question or make a statement.





# Agenda Item 3.

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Minutes of the Forty-Seventh Public Meeting  
of the Devon Countryside Access Forum  
held at Devon Travel Academy, Westpoint, Clyst St Mary, Exeter EX5 1DJ  
Thursday, 27 April 2017

## **Attendance**

### *Forum members*

Simon Clist	Linda Lee
Chris Cole (Vice Chair)	Sue Pudduck
John Daw	Mark Simpson
Gordon Guest	Sarah Slade (Chair)
Jo Hooper	Maggie Watson
Chris Ingram	Councillor Philip Sanders

## **Devon County Council officers and others present**

Richard Andrews, Senior Adviser (Coastal Access), Natural England  
Helen Clayton, Senior Manager, Public Rights of Way, DCC  
Hilary Winter, Forum Officer, DCC

### **1. Introductions and welcome to new members**

New members John Daw, Jo Hooper and Maggie Watson were welcomed.

### **2. Apologies**

Apologies were received from Mark Bullock, Sean Comber and Andrew Cox. The resignations of Chris Britton and Ellie Wonnacott were noted. Appreciation was expressed to Chris Britton in his role as Vice Chair.

### **3. Declaration of interests**

There were no declarations of interest.

### **4. Election of Chair and Vice Chair**

Sarah Slade was elected as Chair, proposed by Mark Simpson and seconded by Sue Pudduck. Chris Cole was elected as Vice Chair, proposed by Chris Ingram and seconded by Linda Lee. An email from the retiring Chair, Laura Leigh, expressing thanks and best wishes for future meetings was read out.

## 5. Minutes of the Forty-Sixth meeting held on 26 January 2017

Minutes of the previous meeting were approved and signed.

## 6. Matters arising

### 6.1 Dog advice

The seasonal dog advice article had been circulated to the press. The article for the Daily Wag publication (East Devon) would be included in the forthcoming edition.

### 6.2 Correspondence log - Mid Devon

Clarification of glossary terms had been submitted to Mid Devon District Council.

### 6.3 Disability Access

The possibility of a conference or workshop on disability access would be investigated further.

*Action: Forum Officer*

## 7. Correspondence log

Attention was drawn to item 12. The Forum Officer had attended a workshop on dog walking but the proposed voluntary exclusion zone for the Exe Estuary, to protect bird feeding grounds, would cover all users, both land and water based. Gordon Guest had attended the Exe Estuary Winter Forum which had highlighted the decline in bird species on the estuary, a concern due to its international and national conservation designations. It was agreed the DCAF should respond to the forthcoming dog walking code, one of the codes being developed in association with the proposal, but send an initial advisory email focussing on dog fouling and the need for a consistent approach by the three councils, and to flag up the possible impact of dog displacement to other areas in Exmouth.

*Action: Forum Officer to respond to the Exe Estuary Partnership.*

## 8. DCAF member attendance at events/meetings

### 8.1 Disability access at Dawlish Warren. To note and approve letter. Feedback from visit on 13 April.

The letter was approved. The Senior Ranger at Dawlish Warren had invited the DCAF to discuss disability access and a site meeting had taken place attended by Simon Clist, Gordon Guest, Sarah Slade and the Forum Officer. Discussions took place about improving accessibility, particularly through the main access gate and a gate through to the sand dunes. Gates immediately beside the visitor centre through to the grazing area were more difficult to change. Members appreciated some of the difficulties raised by the Ranger, in particular gates being left open by members of the public. This led to ponies escaping through kissing gate systems unless additional diagonal wooden sections were put in place which restricted recreational access. It was agreed one gate could be kept open during part of the year as ponies only grazed during the autumn/winter. This was a sensible compromise. The

Ranger agreed to look at other changes and signposting to gates that were accessible. The nature reserve had extremely limited capital budgets for any improvement works and the scope for drawing in funds was discussed. It was suggested that TAP funding (town and parish funds) could be used, a source DCAF could highlight to other groups, or tourism money.

The availability of a funding pot for DCAF to allocate for improvement projects, as in some other counties, was raised. Match funding was also important.

*Action: Forum Officer to draw up list of potential funding sources. Helen Clayton to take back request for a funding pot.*

Attention was drawn to the availability of accessible gates, opened with a radar key. Chris Cole confirmed he had been involved in a development scheme in Pinhoe whereby developer money had been used to put in a radar gate.

## 8.2 Other meetings

Gordon Guest had attended the Exe Estuary Partnership Winter Forum meeting.

Laura Leigh, outgoing Chair, had attended a meeting of SW LAF Chairs and Vice Chairs to share good practice. Notes of the meeting would be sent to Sarah Slade.

*Action: Forum Officer*

## 9. Minutes of the Public Rights of Way Committee held on 2 March 2017

The minutes of the last Public Rights of Way Committee were noted. It was clarified that where an appeal is allowed in part, the Planning Inspector only directed the Authority to make a Modification Order for a section of a route and not the whole route.

## 10. Public Rights of Way update

Helen Clayton, DCC, provided information on current work.

a) Budleigh Salterton to Otterton

An improved gate at the White Bridge end was planned but had been delayed following storm repairs.

b) Lymptone

Remedial works were planned. Subsequent to the meeting it was confirmed these had been completed.

c) Budgets

These remained at the same level as 2016-17.

d) Wardens' work

Wardens were continuing with inspections and arranging vegetation cutting orders. Exeter was now stile free except for one and in Crediton and Shobrooke all stiles had been replaced by gates.

e) Multi-use

DCC had secured Access Fund money of £1.5m over three years to improve sustainable travel. The scheme aims to help people make informed choices on how they travel, encouraging more people to walk, cycle and use sustainable transport which provides health and environmental benefits. The Public Rights of Way team had been asked for advice on spending this fund and it had been decided parishes will be able to bid into funds. A steering group will allocate funding.

<https://www.devonnewscentre.info/funding-for-sustainable-travel-projects-in-devon/>

*Action: Helen Clayton, DCC, to circulate information when available.*

Following an internal DCC multi-use/recreational trail meeting it was confirmed the DCAF will be added to the planning consultation list as a standard consultee. The DCAF will not be involved at the pre-application consultation stage as its proceedings were in the public domain. Best practice was being established concerning design of structures to suit both landowners and disabled users and DCAF position statements would be included. It had been agreed an audit trail of decision making, particularly in terms of restrictive covenants, was important together with clarity and transparency around pre-application studies and audits.

Questions were raised about recent surfacing work on the Pegasus Trail. The new surface, extending for 1km, was seen as less suitable for horse-riders and impacted on cyclists and disability users too. The landscape impact in a rural area was greater. Helen Clayton confirmed that a price was being obtained to put a dust layer down. The trail was now a promoted route which influenced the standard. It was agreed the clarity of contracts was an important consideration.

*Action: Helen Clayton, DCC, to feedback to the DCAF on this matter.*

f) Definitive Map Review

A Modification Order to delete paths along the River Coly, made following an application by landowners, had not been confirmed by the Planning Inspectorate. The paths, added to the Definitive Map following an earlier decision, are therefore now formally recorded. Discussions will be taking place with landowners, in particular regarding the installation of a couple of large bridges. An engineer is looking at one existing bridge in stock to see if it is suitable. Putting the paths in place presented a funding issue as PROW capital funding for 2017-18 had already been allocated. Discussions are also taking place with the Ramblers.

A public inquiry at Pitt Farm, Hemyock and Culmstock had confirmed a Modification Order, with modifications made by the Inspector to add a footpath in Culmstock and a restricted byway in Hemyock.

A hearing had taken place in Sandford for a restricted byway and a decision was expected in due course.

*Action: Helen Clayton would circulate a list of Public Inquiries/Hearings in case DCAF members wished to attend.*

- g) Public Rights of Way Committee  
The next meeting was taking place on 6 July.
- h) Deregulation Act  
There was no timetable despite commitment to the process. The work in formulating the new regulations had been underestimated.
- i) Minor roads  
A discussion took place on the likely DCC downgrading of minor roads in terms of maintenance, not legal status. Some were likely to come across to Public Rights of Way for maintenance. It was understood proposals will be circulated to parishes. Concerns were raised about roads with partial closure or where damage could occur to cars. Diminution of safety standards could become an issue where minor roads became increasingly used for recreational access. The Public Rights of Way team was in discussions about the impact on its budget and the need for a proper handover of additional routes.

It was agreed the DCAF had a role in flagging up the shifting burden of cost to Public Rights of Way.

*Action: Forum Officer to draft email to register the DCAF's interest in the process.*

## **11. To note and approve responses to consultations or advice given and any feedback**

### **11.1 List of Streets**

The email to the Assistant County Solicitor was noted and approved. Helen Clayton, DCC, had subsequently had a meeting and it was agreed there was no reason why the List of Streets (highways maintainable at public expense) should not include Definitive Map information on public rights of way (the majority of which were also maintainable at public expense). There were some technical issues associated with migrating the information across and further talks would take place. As well as assisting with the Definitive Map review a complete List of Streets would help with planning search enquiries and internal matters. This proposal was welcomed.

*Action: Helen Clayton, DCC, to progress and report back.*

### **11.2 Revised draft Charging Schedule and Regulation 123 List consultation - North Devon Council**

The response was noted and approved.

### **11.3 Revised draft Charging Schedule and Regulation 123 List consultation - Torridge District Council**

The response was noted and approved.

### **11.4 Buckfastleigh Neighbourhood Plan**

The response was noted and approved.

## 11.5 Greater Exeter Strategic Plan - Issues

The response was noted and approved.

## 12. Current consultations

### 12.1 Coastal access report - Kingswear to Lyme Regis

Richard Andrew, Senior Adviser Coastal Access (Devon and Cornwall) with Natural England gave a presentation on the Kingswear to Lyme Regis coastal access report.

The report was divided into nine chapters, each covering a section of the coast (68 miles in total).

Natural England had written to all landowners along the trail and in the coastal margin. There were 2000 landowners within the coastal area; 400 adjacent to spreading room and 200 with land on the trail or in the coastal margin.

The trail had not been walked and NE had looked at the current infrastructure and information from the SW Coast Path Association, Devon County Council, Torbay Council, the National Trust and other groups. There were no realignments from the existing SWCP route.

Specific alternative routes had been identified at Man Sands, to avoid times of flooding, and along the Exe Estuary trail when the ferry is not running.

Rollback identified areas where the coast can move back in negotiation with landowners when the trail erodes but the revised route would not need to go to the Secretary of State. The coastal margin is the area between the trail and the sea, and landward at discretion.

Natural England had used 25 and 50 year data from the Environment Agency and had been in discussions with authority wardens and rangers and others regarding particular issues. Along the coastal margin there is reduced liability for landowners, below that of trespass.

There will be restrictions on access by foot at Dawlish Warren due to conservation reasons. The proposal will mirror the voluntary exclusion zone being proposed at Dawlish for the Exe Estuary and will be reviewed after five years. The other exclusion is on the Otter estuary on health and safety grounds due to mud flats and salt marsh.

The report, published on 30 March, has an eight week consultation period. Anyone can make representation on the statutory form and these will be sent to Defra. Those landowners affected can object and these forms will go to Defra and the Planning Inspectorate to determine whether the objection is valid. Once due process has been followed, the Secretary of State can approve with or without changes.

Where an area needs rollback the trail will move slowly back as there is erosion. Comment was made that from the establishment and maintenance cost perspective it would be best to do it once, on a proper basis. Mr Andrews replied that if a new

gate is needed it may go back further. No decisions are made on where a future route will go; it is a principle rather than a line on a map.

Where there are multiple representations about a particular site, it was confirmed that these will be summarised and a statement made about the number of representations.

It was suggested that NE specify the Lower Ferry in Dartmouth in the report, rather than stating ferry.

It was suggested that accessibility could be improved. Many coastal car parks include earth bunds which deter access. Sections of uneven ground could still be suitable for scooters and wheelchairs. It was confirmed that discussions had taken place with local people, rangers and local authorities. Funding was limited. The DCAF was advised to include specific proposals for improvements in its comments on the next stages.

The poor ferry access, via steps, at Starcross was mentioned. The DCAF was advised to take this up with the access authority.

The Forum noted that the budget for this stretch was just under £20,000 for all work which appeared insignificant. It was confirmed that as this route followed the SWCP costs were minimal and were either for new gates or interpretation boards.

It was agreed it would be complicated and confusing if there was no alignment between mandatory and voluntary exclusions at Dawlish Warren, put in place under coastal access and other legislation by Natural England and Teignbridge District Council.

It was noted that there was no roll-back at Ladram Bay and elsewhere along the East Devon coast. This would be a matter to put in the representations.

It was clarified that where the existing coast path is on a permissive route this would become the England Coastpath and a landowner could not withdraw the permissive route.

Natural England would discuss maintenance with the local authorities, particularly on new routes.

In terms of progress elsewhere, Minehead to Combe Martin would be published on 15 June - delayed due to purdah. Investigations on the next stretches from Combe Martin to Marsland Mouth and Kingswear to Cremyll would commence Stage 1 (investigation) in June.

The closing date for the consultation was 25 May at 5 p.m. Members were asked to provide any comments by 5 May.

*Action: Members to submit comments to the Forum Officer.*

### **13. To consider and approve draft disability access position statement**

A discussion took place on the draft disability access position statement and further suggestions made by Gordon Guest. It was agreed it needed to be clearer with the

number of advisory bullets increased to focus attention. The statement was aimed at local authorities, developers, planners and councils and it was agreed the content should reflect that and elements of best practice. Although there were other types of disability it was agreed restricted mobility should be the main focus of the position statement with a statement reflecting that improvements for wheelchairs and trampers would also benefit buggy users. It was agreed the legal framework around equality and public responsibilities should be included.

The DCAF resolved that an initial draft should be worked on by Gordon Guest, Chris Cole, Jo Hooper and Maggie Watson before circulating to all members.

*Action: Forum Officer to progress with the disability sub-group.*

## 14. Work Plan

Following discussion it was agreed that the National Trust should be invited to speak at the October meeting and either Countryside Mobility or Living Options at the January meeting.

A joint training event with Dartmoor Access Forum was proposed.

It was agreed working groups would be arranged in the autumn to discuss coastal access for forthcoming stretches in South and North Devon.

It was noted that horse riding information for Devon was not as comprehensive as it could be. Multi-use sections of the National Cycle Network were not clear, unlike some other counties such as Cornwall and Dorset. It was confirmed the recreational trail information was not the responsibility of the Public Rights of Way section but Explore Devon. The Public Rights of Way website marked clearly all the bridleways. It was agreed to convene a working group to discuss this and also the availability of carriage driving access. Members of the group confirmed as Chris Cole, John Daw, Chris Ingram and Linda Lee.

*Action: Forum Officer to arrange working group and speak to Explore Devon prior to the meeting.*

Chris Cole provided a list of acronyms used by the Trail Riders' Fellowship and suggested a DCAF version might be useful.

*Action: Forum Officer to progress.*

## 15. Training Day

A joint training day with Dartmoor Access Forum to view Fingle Woods in the first week of July was proposed.

*Action: Forum Officer to liaise with Dartmoor Access Forum.*

## 16. National LAF Conference

The Conference was on 21 June in Birmingham. Sarah Slade offered to attend with Jo Hooper and Sue Pudduck as 2<sup>nd</sup> and 3<sup>rd</sup> reserves.

## 17. Dates of meetings 2017-18

Dates for 2017-18 were confirmed as 12 October and 25 January.

## **18. Any other business**

### **18.1 County Councillors on the DCAF**

Thanks were expressed to Cllr Philip Sanders and Cllr Jim Knight for their work on the DCAF during their term as Chair and Vice Chair of the Public Rights of Way Committee, DCC.

### **18.2 Bridges**

Gordon Guest noted access improvements to bridges at Cullompton, Heddon Valley and on the Granite Way. It was agreed he should write as an individual to express thanks, stating that he had raised this at the DCAF meeting.

*Action: Gordon Guest*

### **18.3 Website biographies**

Biographies would be added to the DCAF website following the DCC elections and confirmation of councillors as Chair and Vice Chair of the Public Rights of Way Committee.

### **18.4 DCAF Annual Report**

The report would be compiled shortly and circulated to last year's members.

### **18.5 Letterhead**

It was agreed not to alter the current DCAF logo when letterheads are re-printed.

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# Agenda Item 5.

**Devon Countryside Access Forum**  
**CORRESPONDENCE RECEIVED**  
(not specifically on agenda)  
Available to view on request

	<b>Sender</b>	<b>Subject</b>	<b>Action and any feedback</b>
1	East Devon District Council 21.04.17	East Devon Planning Obligations SPD- Revised Draft.	No response. Focus on planning obligation process rather than specific projects.
2	East Devon District Council 15.05.17	Land North Of Old Tithebarn Lane Clyst Honiton.  Demolition of existing buildings and development of the site to provide up to 900 dwellings and a primary school with car and cycle park, public and private open space, together with landscaping and associated servicing (all matters reserved).	Consulted with Chair and Vice Chair. Sent planning position statement.
3	Ottery St Mary Town Council 15.05.17	Ottery St Mary and West Hill Neighbourhood Plan. Pre-submission consultation.	Consulted with Chair and Vice Chair. Sent Neighbourhood Plan position statement.
4	Plymouth City Council 18.05.17	Central Park consultation.	Forwarded to Plymouth Local Access Forum.
5	Mid Devon District Council 09.06.17	Consultation on Tiverton Eastern Urban Extension – Area B. Part of the EUE Masterplan Supplementary Planning Document.	Consulted with Chair. Sent planning position statement.
6	Natural England 20.06.17	England Coast Path - Minehead to Combe Martin - Report to Secretary of State.	Responsibility to respond is with Exmoor LAF
7	Feniton Parish Council 06.07.17	Feniton Parish Neighbourhood Plan: Regulation 14 Pre-submission Consultation.	Consulted with Chair and Vice Chair. Sent Neighbourhood Plan position statement.
8	Mid Devon District Council 19.07.17	Proposal: Outline for the erection of up to 259 dwellings, with public open space, landscaping and associated infrastructure. Location: Land at NGR 303184 110348 Silver Street, Willand. Application No: 16/01811/MOUT Notification of appeal against refusal being lodged.	Noted.

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9	Torrige and North Devon Councils 20.07.17	North Devon and Torrige Local Plan 2011-2031 – Main Modifications: consultation under the Planning and Compulsory Purchase Act 2004 (as amended), the Town and Country Planning (Local Planning)(England) Regulations 2012 and Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004.  Call for Brownfield Sites - Town and Country Planning (Brownfield Register) Regulations 2017.	No action required.
10	Torrige and North Devon Councils 25.07.17	North Devon and Torrige Local Plan Modifications Consultation.	The response from the Council following the DCAF's letter – see agenda. “In terms of the modification to DM05, it has been treated as an ‘additional’ modification rather than a ‘main’ modification and is not therefore subject to the formal consultation. It is rather treated as a minor change that doesn't materially change the emphasis or meaning of the policy. You will find that it is listed in the Schedule of Additional Modifications under reference AM/105.”
11	Plymouth City Council, South Hams District Council and West Devon Borough Council 31.07.17	Notification that the Plymouth and South West Devon Joint Local Plan had been submitted for examination by the Planning Inspectorate  Progress link: <a href="https://www.plymouth.gov.uk/plymout-handsouthwestdevonjointlocalplanexamination">https://www.plymouth.gov.uk/plymout-handsouthwestdevonjointlocalplanexamination</a>	Noted.
12	Teignbridge District Council 01.08.17	17/01542/MAJ - Land at Wolborough Barton, Coach Road, Newton Abbot/Abbotskerswell.	Insufficient time to consult the DCAF. The Forum Officer made some comments to the Public Rights of Way team on lack of detail and definition of proposed routes. The need for appropriate path furniture for disability access, taking into account the requirements of the proposed grazier, was also raised.

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13	DCC 04.09.17	Mineral Safeguarding Supplementary Planning Document. The SPD refers to the future safeguarding of mineral resources and ensuring that the resources required by future generations to meet their economic and social needs are not sterilised or constrained by other forms of development in the shorter term.	Noted.
14	Open Access Centre, Natural England 06.09.17	Case number 2017088507  Notification of a discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000.  The restriction applies to land at Gittisham Hill for 16 <sup>th</sup> to 21 <sup>st</sup> October inclusive 2017.  6 of the 28 days allocated in this case have now been used	Noted.
15	Member of public September 2017	Emails and photographs concerning trail signing and route information about the Tarka Trail in Weare Gifford.	Correspondence passed to DCC Warden and ExploreDevon for action. Research showed this to be a publicised route from a DCC publication in 2006 using a ford crossing over the River Torridge. The route is not linked to Public Rights of Way and the condition of the ford means it is no longer passable. The recommendation was that any links to this publication are removed. The member of the public was informed about the situation and provided with new Tarka Trail guides.
16	Mid Devon District Council 13.09.17	Outline for the erection of up to 259 dwellings, with public open space, landscaping and associated infrastructure. Location: Land at NGR 303184 110348 Silver Street, Willand, Devon. Application No: 16/01811/MOUT Notification of Informal Hearing.	See no.8 above. Noted.

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17	Mid Devon District Council 15.09.17	<p>Examination into the Submission Mid Devon Local Plan Review 2013 – 2033.</p> <p>Postponement of forthcoming Examination Hearings, scheduled for 26<sup>th</sup> and 27<sup>th</sup> September 2017 on the proposed allocation at Junction 27 of the M5 together with the associated housing allocations at Higher Town, Sampford Peverell (policy SP2) and at Blundell’s Road, Tiverton (policy TIV16). This is to allow the Council to commission an independent report to review the major modifications stage of the Sustainability Appraisal (SA) and to present this as an addendum to the Sustainability Appraisal.</p>	Noted.
18	Project Director Thurlestone Parish Neighbourhood Plan 15.09.17	Pre-Submission consultation draft	Consulted with Chair and Vice Chair and sent Neighbourhood Plan position statement.
19	Open Access centre 28.09.17	<p>Case number 2016108243</p> <p>Notification of a discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000.</p> <p>The restriction applies to land at Hartridge Hense Moor and Luppitt Common for the following dates in 2017:</p> <p>5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup> and 26<sup>th</sup> October 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup> and 30<sup>th</sup> November 7<sup>th</sup>, 14<sup>th</sup>, 21<sup>st</sup>, and 28<sup>th</sup> December</p> <p>19 of the 28 days allocated in this case have now been used.</p>	Noted.
20	Open Access Centre 28.09.17	<p>Case number 2017098519</p> <p>Notification of a discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000. The restriction applies to land</p>	Noted.

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		<p>at Hartridge Hense Moor and Luppitt Common for the following dates in 2018:</p> <p>4<sup>th</sup>, 11<sup>th</sup>, 18<sup>th</sup>, and 25<sup>th</sup> January 1<sup>st</sup>, February</p> <p>5 of the 28 days allocated in this case have now been used.</p>	
21	<p>Open Access Centre 29.09.17</p>	<p>Case number 2017098520</p> <p>Notification of a discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000.</p> <p>The restriction applies to land at Hemyock Common for the following dates in 2018:</p> <p>10<sup>th</sup> and 24<sup>th</sup> March 7<sup>th</sup> and 21<sup>st</sup> April</p> <p>4 of the 28 days allocated in this case have now been used.</p>	Noted.
22	<p>Open Access Centre 29.09.17</p>	<p>Direction case number: 2013036672</p> <p>Notification of a restriction in accordance with the above direction.</p> <p>Land affected: Hemyock Common. Grid square: ST120118 Period of restriction: Between 1pm and 6pm on the following dates in 2018:-</p> <p>5<sup>th</sup> and 19<sup>th</sup> May 2<sup>nd</sup>, 16<sup>th</sup> and 30<sup>th</sup> June 14<sup>th</sup> and 28<sup>th</sup> July 11<sup>th</sup> and 25<sup>th</sup> August 8<sup>th</sup> and 22<sup>nd</sup> September</p> <p>Reason for direction: Section 24 – No public access – Land Management.</p> <p>11 of the 12 days allocated to the direction have now been used.</p>	Noted.

# Agenda Item 5.

23	South West Devon 29.09.17	Joint Local Plan Examination. Details of participation at hearings on Regulation 19 of the Plymouth and South West Devon JLP. The hearings are planned to commence at the end of January 2018.	Noted.
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*In addition the DCAF Forum Officer receives a large quantity of e-mail updates from Devon County Council and other organisations. Relevant information is extracted and circulated to DCAF members via regular newsletters or forwarded direct.*

## Natural England (NE) - LAF Conference feedback 2017

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### Jo Hooper and Sue Pudduck (DCAF attendees)

Theme was 'making the case for access' but the focus was more on general access to the countryside rather than best practice/solutions for disabled people and other users. For example, the diversity group with lowest number of visits to the countryside are Black and Minority Ethnic people, however there was no sharing of information/discussion about how to overcome barriers for this group.

The conference was in Birmingham on the hottest day of the year!

### Dogs:

Dogs should be seen as a catalyst for positive involvement in the outdoors.  
Examples of good practice:

Kennel Club 'Let's Go Walkies' – a project of encouraging people with dogs to get out, and not to view dogs in the negative as is often the case.

Hampshire Council 'Planning for dog ownership in new developments'.

Dog Friendly Vale of Glamorgan.

Suggested to bring people with conflicting views together to discuss and make the case for access for dog walkers.

### Natural England update:

This was a bit hard to follow due to jargon.

There was a brief outline of what is happening re statutory access. It is reviewed every 5 years and the next review is due 2019/21.

NNR (National Nature Reserves) Dedication Programme for new access for horse riders, cyclists and walkers. 64 new access rights on NNRs, 4 year programme. 21km of new routes, 252 ha for horses, 15,000 ha open access.

The England Coast Path will be finished in 2020 and be the longest coastal route in the world. 78% complete so far. NE currently working on 46 stretches and this will extend to all stretches by the end of June. Exmoor report to be published in June. Once completed it will also be reviewed periodically. A research programme has been set up to record the base line data and then will survey visitor activity and cost benefits to the locality.

# Agenda Item 7.1

In relation to the ECP, NE were not pro-active about disability access (in fact it was viewed as almost irrelevant) which was very disappointing and, I think, misunderstands what can be achieved. A disabled woman at the conference is trying to set up a disabled LAF members' network. This could be of interest to Gordon.

**Recommendation:** Devon LAF to send NE our Disability Access Position Statement, and to also ask them to promote it with other LAFs and consider it in relation to the ECP.

Health: benefits of access to the countryside and health explained – both mental and physical. Talked about 'social prescribing' e.g. encouraging access to green space as a GP 'prescription' for a health issue. Gave out some statistics which evidenced that lower social groups were far less likely to visit the natural environment. (See below).

It was agreed that engaging with the health sector was a challenge and suggested contacting the clinical commissioning groups for the area as more emphasis is being placed on alternative prescribing as a more cost effective way to address health inequalities.

Average visits per year - 65. Lowest Black and Minority Ethnic people and elderly at - 27. Disabled - 56. Low income - 50. Over 65s - 55.

**Recommendation:** Do we have strong links with the DCC Health and Wellbeing Board and DCC Scrutiny Committee? Perhaps we could arrange a joint meeting and have a look at strengthening links via membership as well as shared objectives/plans?

Evidence given of positive effects the natural environment has on dementia. Need to overcome barriers to improve access for people with dementia. This includes developing a 'dementia friendly green space directory'; places to sit, toilets, café, level ground and someone on site who is trained in dementia awareness. NE has commissioned research "Greening Dementia" This study shows that activities are a key motivator to encourage outside visits, e.g. bird watching, wild life, walking – so places to sit and look at things is good. Also important to involve careers in the design of programmes and outdoor spaces. NE do provide dementia awareness training.

**Recommendation:** Can we link with people working on Devon's dementia strategy? Can we pilot a space e.g. Stover Country Park that could become dementia friendly? Who could help set up the directory and deliver training to increase the number of dementia friendly green spaces? Could we help get funding to help deliver a 'dementia friendly green spaces' project in Devon?

## DEFRA deregulation

The Deregulation Act came into effect in 2015 but guidance and regulations are yet to be produced.

Part of the reform package includes being able to appeal to the Secretary of State if a right to apply for diversion/extinguishment is turned down by the Local Authority.

All working towards the Definitive Map to actually be definitive by 2026.

## Multi-use trails

Two speakers made the case for allowing cyclists and horse-riders to access more routes, although it was presented with very suspect use of statistics and with little discussion or advice about overcoming the issue of fear/perceptions and changing behaviour for respectful shared use. There was also a suggestion that the solution to making not only bridleways but also footpaths, cycle and horse friendly, was to go ahead and start using them and Cycling UK is pressing for legal changes to accommodate bikes and horses on footpaths. There was no information on what makes a route suitable for horse-riders – for example surface and width, or what criteria makes a route unsuitable (e.g. lots of bends, commuter cycle ‘rat-runs’ etc.?). Although the horse-rider presenting said that “there was no evidence of incidents/accidents” on current multi-use paths this was disputed by a participant. No statistics or data was given on multi-use routes, only statistics given on the number of deaths/accidents for horse-riders on roads.

The Camel Trail was cited as best practice. Apparently no conflicts or accidents. However it would be useful to know usage stats from Cornwall Council and why there have not been any incidents.

Someone pointed out that bridleways have always had shared access status anyway – learn from these.

Question also asked about meeting the needs of ‘adrenalin junkie’ cyclists who cause a lot of conflict on multi use paths, but no real solutions given. View of cycle person is that we shouldn’t judge the user by the minority who behave badly....we say this of other groups, so we should be challenging negative attitudes to cyclists, horse riders, dog walkers etc. However, it still didn’t do much to address problems that could arise between a speeding cyclist coming round a corner and meeting a horse-rider, or other concerns (whether perceived or real) such as fearful elderly, out of control dogs/horses and children etc.

Simple signage saying “Shared Use” or “Shared Use – Respect other users” was recommended but there doesn’t seem to be a standard and various ones have been seen.

## Urban-access

Birmingham are trying to create more routes and asked us to draw lines for new PROW on a map! This workshop didn’t facilitate any discussion or share information on access issues in urban areas such as pavement parking. The maps gave no information about gradients or whether roads had pavements etc.

## Railway Crossings –issues and solutions

Network Rail can close crossings instantly if they think there is a safety issue. The two people leading this session were both local authority employees who specialised in negotiating with Network Rail to find solutions other than closure. This can involve simple remedies like putting in a camera to for 9 days to record actual user numbers and behaviour as evidence, or cutting back undergrowth that obscured view of lines. More involved solutions can mean identifying key crossings and bringing disused bridges back into use, with suitable access, or building under-passes. Network Rail has diverted footpaths so that three paths may use one crossing. In these cases, Network Rail provides the structure, and the local authority provides on-going maintenance.

# Agenda Item 7.1

Funding: Network Rail has control periods. There will be new money for problems in 2018 but often there is more chance of getting crossing improvements funded at the end of their control period when they have to use up their budget i.e. 2017.

## ROWIPS

Rights of Way Improvement Plans need to be reviewed every 10 years.

Good examples: Hampshire and Berkshire.

A guidance PDF is available.

Tourism identified as the largest sector in rural economies.

## Visit England – tourism and usage data

Most foreign tourists go to London and not into the countryside. Even UK residents can be unwilling.

Can download data on users in a local area.

Users need good signposting.

Most visit places within 2 miles of where they live and need a dense network of 2.4km typical.

Example of a grassy matting surface which is good for creating routes without harming the environmental appearance.

Hindrances like unnecessary stiles and kissing gates should be reviewed.

Puddles around gates can be a problem – need better surfaces.

Various projects e.g. Walkers are Welcome, Walking for Health, volunteer led walks etc. to encourage countryside access.

ORVal – Outdoor Recreation Tool. – valuation by Exeter University – will tell you how much a new route would be worth.

# Agenda Item 7.2

**From:** Hilary Winter  
**Sent:** 18 September 2017 08:23  
**To:** Lesley Garlick  
**Subject:** Horse-riding and ExploreDevon

Dear Lesley

A working group of the Devon Countryside Access Forum has met to discuss promotion of horse-riding routes. It looked at the information that is currently available on a number of websites including Explore Devon. It is apparent that the detail for horse-riding is far less comprehensive than for other recreational access interest groups and it is currently very difficult to find out where there are opportunities for a good ride. Some websites such as the National Trust and Forestry Commission mention their main facilities but not necessarily all that is available across their sites.

The working group advises that it would be very useful, subject to funding, if DCC could improve the horse-riding section of the Explore Devon website. Your suggestion of a Google map would be very helpful, if the pointers could link to detailed information about routes or areas for horse-riding. Provision of information about what is available, length of the route, where to park up a horse box etc. would be good. If the website could link to other sites such as the National Trust or Forestry Commission that would also be beneficial. Assembling and inputting such information is a challenge and this is something that would need to be discussed further.

The DCAF would be grateful if you could come back with your initial thoughts.

Regards  
Hilary

Hilary Winter  
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## Devon Countryside Access Forum

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Mr S Gardner  
Senior Manager  
Public Rights of Way  
Lucombe House  
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Topsham Road  
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19 September 2017

Dear Steve

### **West Bowerland Plantation, Thorndon Cross**

The Devon Countryside Access Forum working group met a couple of weeks ago to discuss trail surfacing and in particular the new stone surface at West Bowerland which continues to be difficult for dog walkers and horse riders to use.

The Pegasus Trail is primarily a bridleway and equestrians are the main users. The working group acknowledges there is a difficult balance between capital works and long term maintenance. However, the ideal surface for horse-riders (and other users) is a soft and non-slip surface.

The working group advises that additional work on West Bowerland should be undertaken on a pilot basis to improve the ease of use of the trail, preferably with waste products from local tree surgeons or contracting companies. This material would be obtainable at a much cheaper rate than specialist bark-based products which are frequently too slippery. The working group viewed samples of suitable vegetation/wood chippings and recommends that DCC consider a central strip to a minimum width of at least a 1m, but wider (say at least 2m) where the width permits this. Some sections of the track are at least 4m wide, so in those places a 2m strip would not be unreasonable. This would have the effect of several years leaf litter. Leaving the sides stoned would assist with drainage and allow a firmer surface for forestry extraction where necessary.

If you would like to see samples of the material viewed by the working group please let me know.

Voluntary work to assist with spreading the material could be explored with SW Riders, the

Ramblers and a local dog training group. Initial discussions with SW Riders suggest that this may not be an unrealistic expectation.

The DCAF working group suggests that such a pilot could be monitored and reviewed to inform surfacing good practice.

The DCAF is next meeting on 12 October and it would be helpful if you could provide a response by this date.

Yours sincerely

██████████

Hilary Winter  
Forum Officer

*Letter sent on behalf of Devon Countryside Access Forum*

*Chair: Sarah Slade  
Vice Chair: Chris Cole*

**From:** Steve Gardner - highways  
**Sent:** 28 September 2017 11:44  
**To:** Hilary Winter  
**Cc:** Ros Mills; Helen Clayton  
**Subject:** Pegasus Trail: West Bowerland stone surface

Dear Hilary,

Thank you for your letter of 19<sup>th</sup> September 2017 passing on the advice of the Devon Countryside Access Forum in response to recent surfacing work on the Pegasus Trail, West Bowerland, Thorndon Cross. Please feel free to share my comments below with the Forum.

I have given this much consideration. As the DCAF is now aware, the surface of the route was improved in April 2017 by scraping off the surface mud, improving the drainage and laying and compacting a 40mm to dust stone surface. At that time, we took the decision to hold off on the planned application of 6mm to dust stone to the surface. This is because the surface appeared to be good without it. However, fairly soon afterwards, it was apparent that the surface was becoming loose (I think because of dry weather after surfacing) and stones coming to the surface. This is now an unsatisfactory surface for equestrian use and dog walking but appears to be good for walkers and cyclists.

Contrary to the DCAF suggestion that the route is primarily used by riders, data collected when the first phase of the Pegasus Trail opened would suggest that riders accounted, then, for between 10 and 20 percent of the total number of users (most use being on foot). As more of the Trail becomes available, I would expect a greater percentage of riders on the route.

The DCAF suggestion of putting woodchip on a central strip along the route is a good one. However, it must be remembered that this public bridleway is across privately-owned land and so we have to consider private land use too. The route is used by farm and forestry traffic but, of more significance, passes through a forestry plantation and along a tree-bound corridor. I am not a tree disease or biosecurity expert but do believe that tree disease could be spread by importing unscreened material of timber origin into a plantation. If even available, I should imagine that screened woodchip would be prohibitively expensive. Also, the County Council does not currently have sufficient time resource to run and manage trials on the network. I would still be very interested in a trial but, ideally, this would be run and managed by e.g. Natural England or the British Horse Society in the first instance and its guidance rolled out to highway authorities. South West Riders made a similar suggestion a few years ago, which was to use the contents of road sweepers on public bridleways. That idea was given consideration but we determined that, as such material could be contaminated with e.g. fuel, oil and glass, we could not condone spreading it on public ways across private land.

In light of the above, and in consideration of the advice in the former Countryside Agency's publication 'On the right track: surface requirements for shared use routes', I can confirm that we still intend to dust the recently resurfaced section of Trail to

provide a good, low maintenance surface. This is accepting that, in years to come, the dust will need to be topped up and re-compacted –fairly standard trail maintenance work.

I would appreciate it if you could pass on my thanks to the DCAF for its time and advice on this subject and it certainly raises good questions and thought-provoking ideas about Trail maintenance in Devon.

Regards,

Steve

Steve Gardner

Public Rights of Way Senior Officer  
Asset Management and Enforcement  
Devon County Council

## Devon Countryside Access Forum

### Trail principles

The Devon Countryside Access Forum Trail Working Group met on two occasions and considered principles to adopt when developing trails. It agreed the following as best practice.

- 1) Route design should consider the primary user. For example, if the trail is predominantly for equestrian use the design specification should reflect this. A multi-use route needs to consider all users.
- 2) Trails in rural areas should have regard to a 'spirit of place' so that design is appropriate to both the place and its setting. The countryside should not be urbanised and users should come prepared.
- 3) Work on the base and surfacing should be resilient to allow sustainable long term use.
- 4) Where there are co-existing public and private rights, any surfacing should not adversely affect the private rights.
- 5) Specifications and materials should be fit for purpose and appropriate to the location.
- 6) Drainage should be investigated as this is fundamental and can be a maintenance issue in the long term.
- 7) The totality of the network should be considered to ensure trails maintenance does not lead to neglect of other routes.
- 8) Appropriate access for disabled users should be built in, wherever possible, in accordance with the DCAF Disability Access Position Statement.
- 9) The role of volunteers in maintaining trails for the future should be considered.

Looking at the interface between the Council and user groups/members of the public, the DCAF would recommend:

- a) Timely feedback on complaints.
- b) A rolling update for user groups on priorities and routes where significant works are needed.
- c) Consideration of additional information to include on the PROW interactive map, such as path furniture and suitability for disabled access, possibly using the Disabled Ramblers path categories. This would help to promote the SW tourism economy.

The DCAF would welcome:

- ✓ The opportunity to have a discussion with PROW Wardens in 2018, possibly as part of an integrated meeting/training day. It would be helpful to have Countryside Mobility involved.
- ✓ Further information on the PROW maintenance priorities and programme.



## PUBLIC RIGHTS OF WAY COMMITTEE

6 July 2017

Present:-

Councillors P Sanders (Chairman), T Inch, J Brook, I Chubb, P Colthorpe, A Dewhirst, R Edgell, M Shaw and C Whitton

\* 33

**Minutes**

**RESOLVED** that the minutes of the meeting held on 2 March 2017 be signed as a correct record.

\* 34

**Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

\* 35

**Announcements**

The Chairman announced that a visit to the Devon Heritage Centre would be arranged for the Autumn, before the November meeting, by way of further training for new Members and the Acting Chief Officer for Highways, Infrastructure and Development would notify Members of the proposed date in due course.

\* 36

**Devon Countryside Access Forum**

The Committee received and noted the draft minutes of the meeting held on 27 April 2017.

\* 37

**Parish Review: Definitive Map Review 1997-2017 - Parish of Burlescombe**

The Committee received the Report of the Acting Chief Officer of Highways, Infrastructure and Waste (HIW/17/48) on the outcome of the Definitive Map Review in the Parish of Burlescombe in Mid Devon District.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Brooks and

**RESOLVED** that it be noted that the Definitive Map Review had been completed in the Parish of Burlescombe and no modifications were required to be made.

\* 38

**Parish Review: Definitive Map Review - Parish of Bittadon, with Marwood and West Down**

The Committee considered the Report of the Acting Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/49) examining a claim submitted by the Trail Riders Fellowship in November 2005 in the Parish of Bittadon.

It was **MOVED** by Councillor Books, **SECONDED** by Councillor Colthorpe and

**RESOLVED** that no Modification Order be made to modify the Definitive Map and Statement in respect of Proposal 1, in the Parish of Bittadon, with Marwood and West Down.

# Agenda Item 8.

PUBLIC RIGHTS OF WAY COMMITTEE  
6/07/17

\* **39**      **Parish Review: Definitive Map Review 2016-2017 - Parish of Bridgerule**

The Committee received the Report of the Acting Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/50) on the outcome of the Definitive Map Review in the Parish of Bridgerule.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Dewhirst and

**RESOLVED** that it be noted that the Definitive Map Review had been completed in the Parish of Bridgerule and no modifications were required to be made.

\* **40**      **Parish Review: Definitive Map Review - Parish of Sparkwell**

The Committee received the Report of the Acting Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/51) on the outcome of the Definitive Map Review in the Parish of Sparkwell in South Hams District.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Brooks and

**RESOLVED**

(a) that a Modification Order be not made in respect of the proposal to amend Bridleway No. 24, Sparkwell; and

(b) that it be noted that the Definitive Map Review had been completed in the Parish of Sparkwell and no modifications were required to be made.

\* **41**      **Public Inquiry, Informal Hearing and Written Representation Decisions; Directions and High Court Appeals**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/52) following decisions and directions received from the Secretary of State/High Court relating to Modification Orders:

(i) Footpath No. 2, Culmstock (part), Footpath No. 38, Culmstock and Restricted Byway No. 1, Hemyock Definitive Map Modification Order 2012 (drawing number HTM/PROW/11/76) – confirmed, subject to modifications;

(ii) Restricted Byway No. 50, Sandford Definitive Map Modification Order 2014 (drawing number HCW/PROW/14/47) – confirmed.

\* **42**      **Modification Orders**

The Committee received the Report of the Acting Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/53) on Modification Orders confirmed as unopposed under delegated powers in respect of:

(i) Footpath No. 35, Combe Martin Definitive Map Modification Order 2016

(ii) Footpath No. 69, Ilfracombe & Bridleway No. 69, Ilfracombe Definitive Map Modification Order 2016

(iii) Footpath No. 95, Ilfracombe Definitive Map Modification Order 2016

(iv) Footpath No. 97, Ilfracombe Definitive Map Modification Order 2016

(v) Footpath No. 135, Ilfracombe Definitive Map Modification Order 2016

(vi) Footpath No. 136, Ilfracombe Definitive Map Modification Order 2016

\* 43 **Public Path Orders**

The Committee received the Report of the Acting Chief Officer for Highways, Infrastructure Development and Waste (HIW/17/54) of Public Path Orders having been made and confirmed under delegated powers, namely:

(a) **Diversion Orders**

- (i) Footpath No. 1, Sheepwash Public Path Diversion & Definitive Map and Statement Modification Order 2016
- (ii) Bridleway Nos. 18, Kingskerswell & 13, Coffinswell Public Path Diversion Order 2016
- (iii) Bridleway Nos. 57, Shaugh Prior & 39, Sparkwell Public Path Diversion Order 2016
- (iv) Footpath No. 15, Malborough Public Path Diversion & Definitive Map and Statement Modification Order 2016
- (v) Bridleway No. 66, Ilfracombe Public Path Diversion & Definitive Map and Statement Modification Order 2017

(b) **Extinguishment Orders**

Footpath No. 91, Ilfracombe Public Path Extinguishment & Definitive Map and Statement Modification Order 2017

(c) **Creation Orders/Agreements**

- (i) Footpath No. 18, Welcombe Public Path Creation Agreement
- (ii) Footpath No. 91, Ilfracombe Public Path Creation & Definitive Map and Statement Modification Order 2017
- (iii) Bridleways No. 41, Sparkwell & No. 72, Shaugh Prior Public Path Creation Agreement

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.15 pm



FORM FOR MAKING REPRESENTATIONS ABOUT A COASTAL ACCESS REPORT DCAF response 1	
<b>Any person may make a representation about a coastal access report.</b>	
<p>This form should be completed if you wish to make a representation about the coastal access report which Natural England submitted to the Secretary of State for Environment, Food and Rural Affairs on Thursday 30<sup>th</sup> March 2017 under section 51 of the National Parks and Access to the Countryside Act 1949, pursuant to its duty under section 296(1) of the Marine and Coastal Access Act 2009. The report relates to coastal access between Kingswear in Devon and Lyme Regis in Dorset.</p> <p>Any representations about the report must be made on this form and received by Natural England no later than 5pm on Thursday 25<sup>th</sup> May 2017. If you require more space for your comments, please continue on a separate sheet.</p>	
1. Please give the chapter number of the report and number of the map to which the representation(s) relate(s):	
<p>Chapter 5 – Holcombe to Exmouth. Route sections KLR-5-S016 to KLR-5-S021. Map 5d</p> <p>Chapter 5 – Holcombe to Exmouth. Route sections KLR-5-A057 MU to KLR-5-A067 FW. Map 5p and 5q.</p>	
2. If the representation(s) relate to specific land on the map(s), please describe the land here:	
<p>Area of land between Dawlish and Cockwood subject to coastal access exclusion to protect sensitive feeding waterbirds.</p> <p>Exe Estuary land adjacent to the alternative route from Starcross to Exmouth.</p>	
3. Please tick the appropriate box below to show who is making the representation(s), or on whose behalf you are making the representation(s):	
An access authority for an area in which land to which the report relates is situated	<input type="checkbox"/>
A local access forum for an area in which land to which the report relates is situated	x
The Historic Buildings and Monuments Commission for England (English Heritage)	<input type="checkbox"/>
The Environment Agency	<input type="checkbox"/>
A person specified in Schedule 1 to the Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010 (S.I. 2010/1976)	<input type="checkbox"/>
Other (please give details):	<input type="checkbox"/>
4. If you have ticked the "other" box above, please also indicate if you are a person with a relevant interest (within the meaning of section 55J(2) of the National Parks and Access to the Countryside Act 1949 <sup>(a)</sup> ) in land to which the report relates	<input type="checkbox"/>
5. Please give details of, and the reasons for, the representation(s) you are making about Natural England's report:	
<p>It is vitally important that there is consistency in the provision of information about the exclusion of access between Dawlish Warren and Cockwood. There is currently a byelaw excluding dogs all year round, put in place by Teignbridge District Council. This would imply you could walk in that area without a dog. The DCAF recognises the need for an exclusion on nature conservation grounds but, if this is to be effective, members of the public will need to understand the reasons for a coastal access restriction.</p> <p>Similarly, on the Exmouth side of the Exe Estuary there are proposals, as yet undetermined, from the Exe Estuary Management Partnership for a voluntary exclusion which would include dog walkers and walkers as well as many other types of water and land-based uses. This is to protect bird species under the Habitats Regulations. The area in question is beach and foreshore which is well-used for recreational purposes. Again there is the risk of lack of clarity during times when the alternative route along the Exe Estuary will be used as the seasonal ferry is not running, even though the coastal margin is not included for alternative routes.</p>	

# Agenda Item 11.1

FORM FOR MAKING REPRESENTATIONS ABOUT A COASTAL ACCESS REPORT DCAF response 2	
<p><b>Any person may make a representation about a coastal access report.</b></p> <p>This form should be completed if you wish to make a representation about the coastal access report which Natural England submitted to the Secretary of State for Environment, Food and Rural Affairs on Thursday 30<sup>th</sup> March 2017 under section 51 of the National Parks and Access to the Countryside Act 1949, pursuant to its duty under section 296(1) of the Marine and Coastal Access Act 2009. The report relates to coastal access between Kingswear in Devon and Lyme Regis in Dorset.</p> <p>Any representations about the report must be made on this form and received by Natural England no later than 5pm on Thursday 25<sup>th</sup> May 2017. If you require more space for your comments, please continue on a separate sheet.</p>	
<p>1. Please give the chapter number of the report and number of the map to which the representation(s) relate(s):</p>	
<p>Chapter 5 – Holcombe to Exmouth. Map 5e (KLR-5-S031)</p>	
<p>2. If the representation(s) relate to specific land on the map(s), please describe the land here:</p>	
<p>Starcross Ferry</p>	
<p>3. Please tick the appropriate box below to show who is making the representation(s), or on whose behalf you are making the representation(s):</p>	
An access authority for an area in which land to which the report relates is situated	<input type="checkbox"/>
A local access forum for an area in which land to which the report relates is situated	<input checked="" type="checkbox"/>
The Historic Buildings and Monuments Commission for England (English Heritage)	<input type="checkbox"/>
The Environment Agency	<input type="checkbox"/>
A person specified in Schedule 1 to the Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010 (S.I. 2010/1976)	<input type="checkbox"/>
Other (please give details):	<input type="checkbox"/>
4. If you have ticked the "other" box above, please also indicate if you are a person with a relevant interest (within the meaning of section 55J(2) of the National Parks and Access to the Countryside Act 1949 <sup>(a)</sup> ) in land to which the report relates	<input type="checkbox"/>
<p>5. Please give details of, and the reasons for, the representation(s) you are making about Natural England's report:</p>	
<p>The DCAF is aware that the crossing from Starcross to Exmouth, using the railway bridge and ferry, which is proposed as the designated route is not suitable for those with limited mobility. Although there is an alternative route along the Exe Estuary this is considerably longer. The DCAF advises that improvements at Starcross would widen access on this section of the England Coast Path.</p>	

FORM FOR MAKING REPRESENTATIONS ABOUT A COASTAL ACCESS REPORT DCAF response 3	
<b>Any person may make a representation about a coastal access report.</b>	
<p>This form should be completed if you wish to make a representation about the coastal access report which Natural England submitted to the Secretary of State for Environment, Food and Rural Affairs on Thursday 30<sup>th</sup> March 2017 under section 51 of the National Parks and Access to the Countryside Act 1949, pursuant to its duty under section 296(1) of the Marine and Coastal Access Act 2009. The report relates to coastal access between Kingswear in Devon and Lyme Regis in Dorset.</p> <p>Any representations about the report must be made on this form and received by Natural England no later than 5pm on Thursday 25<sup>th</sup> May 2017. If you require more space for your comments, please continue on a separate sheet.</p>	
1. Please give the chapter number of the report and number of the map to which the representation(s) relate(s):	
Generic comment	
2. If the representation(s) relate to specific land on the map(s), please describe the land here:	
3. Please tick the appropriate box below to show who is making the representation(s), or on whose behalf you are making the representation(s):	
An access authority for an area in which land to which the report relates is situated	<input type="checkbox"/>
A local access forum for an area in which land to which the report relates is situated	x
The Historic Buildings and Monuments Commission for England (English Heritage)	<input type="checkbox"/>
The Environment Agency	<input type="checkbox"/>
A person specified in Schedule 1 to the Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010 (S.I. 2010/1976)	<input type="checkbox"/>
Other (please give details):	<input type="checkbox"/>
4. If you have ticked the "other" box above, please also indicate if you are a person with a relevant interest (within the meaning of section 55J(2) of the National Parks and Access to the Countryside Act 1949 <sup>(a)</sup> ) in land to which the report relates	<input type="checkbox"/>
5. Please give details of, and the reasons for, the representation(s) you are making about Natural England's report:	
<p>Concern was expressed by the Devon Countryside Access Forum that permissive sections of the existing South West Coast Path are being converted to permanent access. This could have a wide-ranging impact on the provision of permissive access more generally if landowners suspect a route is likely to become a public right of way. Natural England is requested to consider this as part of the requirement for there to be a fair balance.</p>	

# Agenda Item 11.1

6. Please list below any documents or evidence you have included in support of the representation(s):	
7. Have you made any other representations about the report?	
Yes <input checked="" type="checkbox"/> (three response forms in total)	
No <input type="checkbox"/>	
8. If you are a person with a relevant interest in land to which the report relates, have you made any objection(s) which relate(s) to that land?	
Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	
9. Please complete your details below:	
Name:	Hilary Winter, Forum Officer
Organisation/company (if appropriate):	Devon Countryside Access Forum
Address (including post code):	Lucombe House County Hall Topsham Road Exeter EX2 4QD
Telephone:	07837 171000
E-mail:	devoncaf@devon.gov.uk
Date:	25.05.17
10. The completed form should be sent to Natural England at:	
<p>England Coast Path Team (South West)          Natural England          Sterling House          Dixs Field          Exeter          EX1 1QA</p> <p>Email: <a href="mailto:southwestcoastalaccess@naturalengland.org.uk">southwestcoastalaccess@naturalengland.org.uk</a></p>	
(a) Section 55J(2) provides that a person has a relevant interest in land if the person is the owner of the land, holds a term of years absolute in the land, or is in lawful occupation of the land.	



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**[www.devon.gov.uk/dcaf](http://www.devon.gov.uk/dcaf)**

Jim Jobe/Carol Whale  
Department for Communities and Local Government  
2<sup>nd</sup> Floor, NE, Fry Building  
2 Marsham Street  
London  
SW1P 4DF

3 July 2017

Dear Mr Jobe and Ms Whale

## **Running Free - Consultation on Preserving the Free Use of Public Parks**

The Devon Countryside Access Forum is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its remit is to advise “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” It has a statutory function to give independent advice to named bodies, including the Secretary of State for any Government Department, under section 94 of the CRoW Act and they are required to “have regard” to “any relevant advice given to them.”

The DCAF currently has seventeen members who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The consultation did not coincide with a meeting of the Forum but this response will be on the agenda for formal ratification at the next meeting on 12 October.

In response to the specific questions raised in the consultation the Forum would like to advise as follows:

### **Question 1: Do you agree that local authorities should not be able to charge parkrun or parkrun junior for the use of public parks?**

The use of public parks is traditionally free at source for all users. The Devon Countryside Access Forum strongly agrees that use of parks in rural and urban areas should continue to be free and that local authorities should not charge Parkrun or Parkrun Junior. The success of these organisations has resulted in significantly greater numbers of people enjoying parks with associated health and wellbeing benefits. It is

The Devon Countryside Access Forum is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

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# Agenda Item 11.2

part of the remit of the forum to improve public access to land for the purposes of recreation and enjoyment and therefore important to support the custom of free public access to all public parks, country parks and green spaces in the control of the local authority. By continuing to provide free facilities the inclusiveness of parks is preserved.

**Question 2: Is there any specific activity, in addition to parkrun or junior parkrun, that takes place in a public park, that does not require exclusive use of the park or a part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?**

A number of regular recreational access activities also use parks and other green spaces on a non-profit basis. These would include Walking for Health, Walk and Talk groups and Green Gym schemes. Such organisations frequently target people new to exercise or those recovering from injury or physical/mental illness. The fact that the activity is free is part of the promotion. Any attempts by parks to charge groups or any individuals would be very retrograde. The physical and mental health benefits of outdoor exercise are well-documented and your attention is drawn to a few relevant publications:

- [Evidence Statement on the links between Natural Environments and Human Health](#) (2017) – DEFRA report
- [Annex C Literature Review January 2014](#) Devon Local Nature Partnership Health & Access Group. Review of the literature concerning the benefits to health of engagement with the natural environment.
- [Everybody active, every day: an evidence-based approach to physical activity](#) Public Health England 2014.
- [Walking Works](#) Walking for Health 2014.

**Question 3: Are there any activities that involve a financial charge to a client or clients by a professional or business, but do not involve exclusive use of a public park or part of the park, that should be considered for inclusion in provisions to prevent local authorities charging for that activity, and if so why?**

Whilst recognising the financial constraints experienced by many parks, the Devon Countryside Access Forum advises that it would be counter-productive to try and charge people like professional dog walkers or personal trainers a fee as it would be very difficult to monitor, extremely difficult to enforce and unlikely to be very cost effective.

The Devon Countryside Access Forum trusts that its comments will be taken into account.

Yours sincerely



Hilary Winter  
Forum Officer

*Letter agreed and sent on behalf of Devon Countryside Access Forum*

*Chair: Sarah Slade Vice Chair: Chris Cole*



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Mr T Hynes  
North Devon Biosphere  
Taw View  
North Walk  
Barnstaple  
EX31 1EE

14 July 2017

Dear Mr Hynes

## **Meddon Green Local Nature Reserve – Management Plan 2017-2027**

The Devon Countryside Access Forum is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its remit is to advise “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” It has a statutory function to give independent advice to named bodies, including Parish Councils, under section 94 of the CRoW Act and they are required to “have regard” to “any relevant advice given to them.”

The DCAF currently has seventeen members who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The consultation did not coincide with a public meeting of the Forum but this response will be on the agenda for formal ratification at the next meeting on 12 October.

The Forum would like to make the following comments on the Management Plan for Meddon Green LNR.

The DCAF supports conservation of this important Culm grassland site in a way which also promotes education and access to the site. The recreational access prescriptions identified in the Plan which will allow these objectives to be secured are welcomed, in particular:

*10.1 Maintain informal paths to ensure access for people to enjoy the site in a controlled manner making sure sensitive areas are avoided.*

The Devon Countryside Access Forum is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

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# Agenda Item 11.3

*10.10 Develop interpretation boards to advertise both the presence of the reserve and to inform and advise visitors.*

The Devon Countryside Access Forum advises that the word 'informal' should be removed from point 10.1, to avoid the Management Committee having to maintain all desire lines that might be created on the site as these might not necessarily accord with conservation aims.

The proposed installation of benches is welcomed and will allow people to rest and enjoy the site.

The health and well-being benefits associated with having a local green space are well-documented and the Forum also recognises the value of community involvement and volunteering. Involving nearby schools and youth groups as part of the educational aspirations would be beneficial.

As the site is improved and becomes more accessible the Management Committee may need to include an advisory notice about walking with dogs, and consider whether leads are required to reduce the impact on Culm grassland flora and fauna. A dog bin at the access point to the reserve is a further consideration.

The DCAF is currently preparing a position statement on disability access and has had a number of discussions about the increasing need to plan for disabled users. The Forum advises that the entry points to Meddon Green LNR should allow full access by disabled people. A number of suitable gates are available, including radar key entry options. These would allow people using wheelchairs or tramper type vehicles to access the site plus family groups with child buggies. Further information can be provided if required.

Additional notices may be needed to indicate activities which the Management Committee might wish to ban such as BBQs, or the use of bicycles or motorised vehicles which could otherwise impact on people's enjoyment of the nature reserve and conservation objectives.

The Devon Countryside Access Forum trusts that its comments will be taken into account and would welcome feedback.

Yours sincerely



Hilary Winter  
Forum Officer

*Letter sent on behalf of Devon Countryside Access Forum*

*Chair: Sarah Slade  
Vice Chair: Chris Cole*

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Planning Policy Team  
Torrige District Council  
Riverbank House  
Bideford  
EX39 2QG

31 July 2017

Dear Sir/Madam

### **Examination of the North Devon and Torrige Local Plan 2011-2031 Schedule of Further Proposed Main Modifications. July 2017**

The Devon Countryside Access Forum (DCAF) is a statutory local access forum established under the Countryside and Rights of Way Act 2000 (CRoW Act 2000). Its specific remit is to provide independent advice on the “improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area.” The Forum has a statutory function to give advice to specified bodies including district councils.

The Forum has sixteen voluntary members, appointed by Devon County Council, who represent the interests of land owners/managers, access users and other relevant concerns such as health and tourism.

The timing of this consultation did not coincide with a public meeting of the Devon Countryside Access Forum. However, modifications to the Local Plan which enhance public access, and in particular connections to the Tarka Trail and construction of associated car parking, are welcomed. (Modification references **PMM/91** and **PMM/94**). The accompanying statements which recognise the importance of taking measures to improve safety for users of the Tarka Trail where it is crossed by vehicular traffic are also appreciated. (Modification reference **PMM/94**). These modifications are in accord with the Forum’s Position Statement on Local Development Frameworks and Planning.

### **Schedule of additional changes**

The Devon Countryside Access Forum advises that a change should be made to the

The Devon Countryside Access Forum, is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CROW) Act 2000 (Local Access Forums), to advise on the improvement of public access to the countryside.





minor modification **Policy DM05: Highways. (Modification AM/105)**

*(1) All development must ensure safe and well designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.*

*(2) All development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.*

Although the additional changes are not part of the formal consultation, the DCAF advises that point 2 of the policy should be altered to avoid ambiguity. Suitable wording would be:

"All development shall protect and enhance existing public rights of way and recreational trails, and facilitate improvements or provide new connections to these routes where practical to do so."

Bridleways are public rights of way and cycle/multi-use trails would be covered in the term recreational trail. It is not clear what is meant by footways. Footpaths would be covered under public rights of way. If footways refer to pavements or other types of route it would be useful to clarify this.

The Forum trusts its comments will be taken into account and looks forward to receiving feedback.

Yours faithfully

██████████

Hilary Winter  
Forum Officer  
Devon Countryside Access Forum

*Letter sent on behalf of the Devon Countryside Access Forum*

*Chair: Sarah Slade  
Vice Chair: Chris Cole*



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## **British Standards Institute.**

### **Consultation on the Draft BS 5709 Gaps, gates and stiles – specification**

The British Standard currently in place dates to 2006. The BSI consulted on a revision drawing on experience of years of use of the existing standard. The draft was also informed by a trial of self-closing bridlegates, conducted by Natural England in partnership with the British Horse Society in 2015, which looked at ease of use of structures.

The draft revision places emphasis on the requirements of the Equality Act, the safety of path users and the land management needs of landowners.

Following the consultation the BSI will start a process of comment resolution by its panel of experts, followed by any further editorial revisions, prior to approval and publication.

The Devon Countryside Access Forum made the following online comments:

#### 1) General comment

*The information contained in the draft BS is useful for discussion purposes. This is an important consultation and there is concern at how inaccessible the draft document was and how costly it will be to obtain the new BS when finalised. As a source of advisory best practice it should be widely disseminated.*

*It was suggested the BSI should review copyright criteria to ensure membership groups can readily and easily circulate information.*

#### 2) Table 1 specified a large number of footpath structures in order of least restrictive preference with performance details.

*The performance details for the accessibility of structures are very helpful and the list of structures contributes to widening knowledge of the variety available. This will assist landowners and authorities in discussing and determining the best and least restrictive structures to use. Details of good design conforming to BS are very helpful. It is often structures that do not conform that cause problems, particularly for disabled users, for example kissing gates of inadequate width. Standards provide a baseline which is of value. However, the opinion is that that the precise ordering of structures in least restrictive preference order may not be helpful as it is too prescriptive, does not*

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*allow for local circumstances and might stifle opportunities for creative innovation in the future. It is also a very long list and, in some instances, there is minimal difference between types of structure. It is recommended that Tables 1 and 2 are included as an advisory note in the final BS. There is, in addition, some inconsistency in performance/preference order information between Tables 1 and 2.*

*It was suggested Table 1 should be included as a guidance note.*

- 3) Table 2 presented a similar table of least restrictive structures for bridleways in order of preference with performance details.

*The performance details for the accessibility of structures are very helpful and the list of structures contributes to widening knowledge of the variety available. This will assist landowners and authorities in discussing and determining the best and least restrictive structures to use. Details of good design conforming to BS are very helpful. It is often structures that do not conform that cause problems. Standards provide a baseline which is of value. However, the opinion is that the precise ordering of structures in least restrictive preference order may not be helpful as it is too prescriptive, does not allow for local circumstances and might stifle opportunities for creative innovation in the future. It is also a very long list and, in some instances, there is minimal difference between types of structure. It is recommended that Tables 1 and 2 are included as an advisory note in the final BS. There is, in addition, some inconsistency in performance/preference order information between Tables 1 and 2.*

*It was suggested Table 2 should be included as a guidance note.*

- 4) General comment

*A general comment was made to stress how important maintenance is to the accessibility of structures. Badly hung, poorly maintained or stiff latches are a significant impediment to accessibility.*

*It was suggested an additional sentence on maintenance would be useful.*

- 5) The draft suggested that tying open gates when not needed for livestock control for a significant time would be in accordance with least restrictive principles.

*It was agreed that, where possible, this would be useful to save wear and tear on structures and improve access.*

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## Devon Countryside Access Forum

### Physical Disability Access Position Statement

The Devon Countryside Access Forum recognises that everyone, whether residents or visitors, should be able to enjoy recreation in Devon's natural environment.

#### The issue

This Position Statement sets out recommendations for improving access to the countryside for people with limited mobility, including on Public Rights of Way and cycle/multi-use trails, and points readers to more detailed information.

Although this Statement focuses particularly on physical disabilities, it is worth noting that limited mobility affects a range of people, including parents with children in buggies; elderly or frail people; who might use an electric mobility scooter or wheelchair, and people with walking aids. Improving access for wheelchairs and large off road electric mobility scooters can improve access for all.

Research shows that people with limited mobility are less likely to say they can access 'green spaces' and are less likely to visit the countryside. This is because they experience barriers that can be impossible to navigate. Barriers can include:

- stiles;
- steps;
- narrow gates, entrances, paths and exits;
- difficult or high handles and latches on gates;
- logs or earth mounds;
- steep gradients and cross-gradients; and
- overgrown vegetation.

The DCAF recognises that there are some routes that cannot be made accessible because of flights of steps or unavoidably narrow sections. However, many barriers can be removed at relatively low cost, opening up significant areas of countryside to more disabled people. The aim should be to achieve the least restrictive option.

Disabled people are now benefiting from ongoing technological improvements in mobility aids. . Now, electric and all terrain scooters/buggies, such as the off-road Trampler, can cope with more challenging gradients (25%) and cross gradients as well as having good ground clearance. Trampler type scooters are quite capable of going across grass fields and open moorland. Such off road scooters can even manage distances of 20 to 40 miles. A modest improvement to a gate may open up more extensive areas for access.

Access managers often under-estimate the capability of this new generation of off - road mobility scooters and may think access cannot be improved if routes are not

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suitable for wheelchairs, whereas it is highly likely that a Trampler off road scooter could cope adequately.

## **Making improvements**

Major modifications to routes using very specific criteria are often inappropriate, especially in rural areas, or very expensive but relatively minor changes can often result in a much more accessible and enjoyable route, particularly for people with all-terrain scooters

Improvements must be agreed with landowners and should consider how disabled people might be able to access the route while maintaining necessary measures to control farm animals and any vehicles. In some instances changes will not be possible. Historic or locally important structures should be respected.

Some possible improvements include:

- Replacing stiles and kissing gates with 1.5 m wide gates with good latches and trombone handles. Where self-closing gates are required a two-way gate is preferable. Kissing gates that can be operated by radar keys may be an option in some locations. (E.g. National Trust Parke estate and Fremington Quay nature reserve). Latches are often over-looked but can ensure gates can be easily opened and closed. They should be positioned where they can be reached and in good condition. Long handles which can be reached at different heights are useful to open gates.
- Ensuring the path width and surface are suitable for wheelchairs, buggies and trampers helps many people. This does not mean that a route requires a road surface – minimising puddles, roots and ruts may be all that is needed. Many disabled people still want a countryside experience.
- Ramps rather than steps on approaches to bridges would greatly assist those with disabilities. Where steps are unavoidable, rest or landing areas should be included.
- DCAF advises site managers to explore options for facilitating access for Trampler all terrain mobility scooters or making these available for hire, as has been successfully developed by Countryside Mobility South West.
- Routes for cyclists should take into account reclining bikes, trikes and modified bikes as well as Trampler type mobility scooters. These can be longer, lower or wider than a standard bike when navigating a gate or turning space

## **Planning for better access**

The Forum advises that improvements to Public Rights of Way should incorporate the highest possible access standards from the outset, and that managers should regularly consider potential enhancements. For example, Parish Councils may be

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planning improvements to Public Rights of Way through Neighbourhood Plans and should consult disabled people on changes so that costly mistakes that inhibit access are avoided and so that people are informed where it is not possible to make an adjustment and improvement. . In planning or designing *new* routes the above recommendations should be considered from the beginning to achieve the highest standards possible. A number of organisations have good practice guides to ensure disability access standards can be implemented

It is also worth noting that improving access to the countryside isn't necessarily limited to improving paths and gateways. People with limited mobility may have other needs too. There are additional aspects to consider and these include:

- Connectivity (access to the site via accessible public transport, disabled parking bays or safe paths).
- Rest (stopping off points such as picnic tables, pubs, cafes and accessible toilets).
- Information (providing clear, easy to read information about the route or site so that people can plan their visit with confidence and consider making information usable by visually sighted and/or deaf persons)
- Sensory enhancements such as scented plants for blind and visually impaired people. Also, suitable lighting and clear edges to paths in urban areas.

## Legislation

Under the Equality Act 2010, Public Authorities (including County, District, Town and Parish Councils) have a pro-active legal duty to advance equality for disabled people. This includes meeting disabled people's needs. The Act also places a requirement on providers of services to the public to ensure people are not unlawfully discriminated against and that reasonable adjustments are anticipated and made for disabled people. Landowners who have public access or public rights of way across their land are not providers of public services, and therefore cannot be obliged under the Act to make reasonable adjustments, for example by changing a stile to a gate. Landowners who provide permissive access must comply with the Equality Act by considering what reasonable adjustments can be made for disabled people. However, this does not oblige them to put in place anything that would be an unreasonable cost, ineffective or impractical. More information:

<https://www.equalityhumanrights.com/en>

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

<https://new.devon.gov.uk/equality/policy-and-legislation/equality-legislation>

The Department of Transport legislation states that Class 3 mobility scooters must have a maximum speed of 4 mph on pavements and 8 mph on roads. A width of 85 cm and an unladen weight of 150 kg. This class includes Trammer mobility scooters and the TGA 3 wheel Supersport

<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/rules-for-class-3-invalid-carriages>

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## Best Practice

For photos showing good practice and details of wheelchair and mobility scooter specifications see the DCAF website [www.devon.gov.uk/dcaf](http://www.devon.gov.uk/dcaf)

For more comprehensive information on standards, particularly when establishing a new route, see:

- The Fieldfare Trust – [www.fieldfare.org.uk](http://www.fieldfare.org.uk)  
<http://www.fieldfare.org.uk/countryside-for-all/countryside-for-all-good-practice-guide/>

This site includes information on the BT Countryside for All project.

- Disabled Ramblers UK - <http://disabledramblers.co.uk/>  
The Disabled Ramblers helps mobility-challenged people get back out into the countryside. Disabled ramblers have several categories of footpath from level 1 for manual wheelchairs to level 3 for off road scooters. Full details are on the website.
- Natural England's Trial of self-closing bridlegates -  
<http://publications.naturalengland.org.uk/publication/4580441024102400>

The summary and conclusions make recommendations for disability access following a trial involving walkers, horse-riders, cyclists, disabled users and landowners.

- Sensory Trust information fact sheets -  
<http://www.sensorytrust.org.uk/information/factsheets/>

For more general information on current initiatives in Devon which benefit disability access see:

- Countryside Mobility SW (tramper buggy hire project) -  
<http://www.countrysidemobility.org/>
- Living Options Devon Heritage Ability project - [www.heritageability.org](http://www.heritageability.org)

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on "the improvement of public access to land for the purposes of open-air recreation and enjoyment". The members represent the interests of landowners/land managers, access users and other interests such as tourism and conservation.



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### Sidmouth – Disability Access and the South West Coast Path



An example of a disabled rambler on a DVLA class 3 mobility scooter crossing a rope bridge. This gives an indication of the capability of modern Tramper type mobility scooters

The Devon Countryside Access Forum is a statutory local access forum, set up by the County Council under the Countryside and Rights of Way Act 2000. The role of the Forum is to improve public access to land for the purposes of open-air recreation and enjoyment. It has a statutory function to give independent advice to named bodies, including the County Council, under section 94 of the CRoW Act and they are required to “have regard” to “any relevant advice given to them.”

The Devon countryside is famous for its varied and beautiful landscape and the Forum helps to ensure that opportunities for access and exploration are fully considered.

The DCAF currently has sixteen members who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

*The Devon Countryside Access Forum notes Devon County Council’s plans to divert inland part of the access route to the SW Coast Path, replacing Alma Bridge with a new footbridge over the River Sid. It notes the proposed footbridge would have steps and not ramps and so would not provide access for cyclists, parents with prams, elderly walkers, and persons using wheeled walking frames, wheelchairs and mobility scooters.*

*On behalf of the DCAF, its disability access member, Gordon Guest, has carried out an assessment of the alternative route for those unable to use a new bridge with steps and is concerned at the lack of pavements, the lack of pedestrian refuge spaces to avoid traffic, the difficulty of using the short steep ramps on the existing footbridge and the length of the diversion. These problems may also prevent access by many groups of the public to the SW Coast Path. A detailed report is below.*

The Devon Countryside Access Forum is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.



# Agenda Item 13.2

## Report on Sidmouth footpath changes.

The SW Coast path is a major arterial walkway. There are 630 miles of walks with more and more sections becoming mobility scooter accessible.

### Current access using Alma Bridge (temporary bridge)

The South West Coast Path goes along Sidmouth esplanade, uses a small footbridge to cross the River Sid, climbs the cliff on a wheelchair and mobility scooter accessible zig zag footpath and joins Cliff Road. The footpath continues along Cliff Road, through housing, eventually joining the National Trust land at Salcombe Hill. Salcombe Hill is a large grass field climbing steeply to woods at the top of the hill.

The views from the hill looking back over Sidmouth and the bay are superb.

Picture 1 - view over Sidmouth and the bay from Salcombe Hill.



Picture 2 - view of Salcombe Hill (NT) field.



At present the whole of this route is possible using a mobility scooter. Mobility scooters can cross the temporary footbridge, climb the zig zag path and progress to Salcombe Hill. DVLA class 3 Tramper type mobility scooters can easily follow the footpath all the way up Salcombe Hill and into the woods. Tramper scooters are halted in the woods due to a flight of wooden steps.

The current temporary footbridge has ramps and is fully mobility scooter usable. Because it has ramps it is also usable by elderly walkers, elderly persons using push and parents with prams.

The zig zag path is mostly 1.5 m wide with good large turning circles at each point of the turn. From Sidmouth crossing the bridge and up the cliff zig zag to where it joins Cliff Road is a distance of 0.09 miles. So although the path is steep it is also short.

Though the zig zag path is steep it is well graded and wide. It is similar to the zig zag path in Exmouth leading up to the footpath to Orcombe point. This Exmouth zig zag path is also mobility scooter accessible.

Most DVLA Class 3 mobility scooters can cope with a gradient of 1 in 4 or 25%. This type of scooter has no difficulty using the zig zag path. Many of the DVLA Class 2, the 4 mph pavement scooters, can cope with a slope between 1 in 10 and 1 in 12. So many of these scooters can use the existing zig zag path. (Note: two persons on mobility scooters were observed using the zig zag path by the DCAF member assessing the route)

### ***Slope Conversions:***

1:12=8%=5°, 1:10=10%=5.7°, 1:8=12.5%=7°, 1:5=20%=11°, 1:4=25%=14°

Picture 3 - view of zig zag path



### **Potential future diversion for users unable to use a new bridge with steps**

There is the potential to divert the existing footpath away from the temporary Alma Bridge, through the park (called the Ham), along Riverside Road, across a footbridge beside the ford, onto Millford Road, and up Beatlands Road to connect with Cliff Road where the existing footpath connects with Cliff Road. This route is currently used when the Alma Bridge is closed and it is proposed this should continue as a route for people who would not be able to use the new proposed stepped bridge which will be constructed closer to the sea.

This would involve a detour of approximately 0.73 miles for walkers with prams and pushchairs, elderly walkers with walking frames, and all wheelchair, power chair and mobility scooters.

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Able bodied persons would be able to use the new footbridge which is likely to have steps but no ramps.

## **Riverside Road.**

Where the footpath exits onto Riverside Road from the park (The Ham) there is no pavement. There are houses fronting the road, car parking all along one side of the road and the road is narrow. With the parked cars the road width is reduced to one car width. As there is no pavement there is nowhere for a pedestrian or mobility scooter to go when a car comes along the road. This poses a health and safety risk.

Picture 4 - chicane fences at the Ham park.



At the exit from the park (the Ham) onto Riverside Road there are two metal fences placed as a chicane. The gap and turning space between these is quite tight for large DVLA class 3 mobility scooters. This gap may need to be widened.

Picture 5 - showing Riverside walk, narrow road with car parking and no pavement.



## **Mill Street.**

Mill Street is also a narrow one lane road with houses on both sides. There are double yellow lines on both sides of the road to prevent parking. Mill Street leads to the vehicle ford to Millford Road.

There is a pavement on both sides of Mill Street. The pavement on the right hand side of Mill Street in the direction of the ford is narrow, in places much less than 1.00 metre wide, and so too narrow for large and medium mobility scooters and power chairs.

The advantage of the pavement on the right side of the road leading to the ford is that users would not have to cross Mill Street, but it is generally too narrow.

On the left hand side of Mill Street there is a wider pavement. Much of this width is suitable, but not all, for mobility scooters and wheelchairs and power chairs, as well as parents with prams. But you need to cross Mill Street at the junction of Riverside Road. You need a drop kerb at that location.

Picture 6 - Mill Street narrow pavements.



Millers Close is a small road off to the left of Mill Street. This would also need drop kerbs to get across.

The footbridge beside the ford is on the right hand side of Mill Street. Therefore in using the pavement on the left you would need further drop kerbs to come off the pavement and cross Mill Street to the footbridge ramps.

### **Footbridge from Mill Street to Millford Road.**

The footpath ramp from Mill Street up to the footbridge is very short and so very steep. A DVLA class 3 mobility scooter can cope with these ramps and gradients quite easily. A lot of the smaller, DVLA class 2, 4 mph pavement scooters and power chairs would have difficulty getting up the ramps because they are so steep even though the distance is short.

Because the footpath ramp faces the wall of a house it would be difficult to make this ramp longer to reduce the steepness.

The ramp going from the footbridge onto Millford Road is also very steep. There is a telegraph pole at the foot of the ramp. This would need to be relocated to improve access onto the ramp and to make the ramp longer and so less steep.

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The steepness of the gradient ramps onto the footbridge is such that it is unlikely any person using a push along wheeled walker, or anyone pushing a manual wheelchair, would be able to go up onto this bridge with the ramps as they currently are. It would also be a very hard push up the ramp for a parent with a pram.

Picture 7 - footbridge ramp into Mill Street with house wall at the bottom.



Picture 8 - Footbridge ramp into Millford road. Grass verge allows possibility of extending the ramp.



## **Millford Road.**

From the footbridge at the ford, along Millford Road to the junction of Beatlands Road. This road has no pavements. It has some parked cars at the side of the road and is very wet where vehicles exit the ford.

Again without a pavement of suitable width for a mobility scooter, mobility scooters and pedestrians must walk in the road. The road is not especially wide, but it is wider than Mill Street. The DCAF member observed vehicles having to queue and wait for vehicles to exit the ford and progress down the road. There was no space for the DCAF observer to manoeuvre their mobility scooter away from vehicles. Safe pedestrian refuge areas would be needed along this road.

Millford Road would need to be made safe and mobility scooter accessible, particularly with clearly marked refuge areas for pedestrians.

Picture 9 - Millford Road with no pavements.



## **Beatlands Road.**

From the junction of Beatlands Road with Millford Road there is no pavement.

A few metres from the junction of Millford Road with Beatlands Road, Beatlands Road junctions with Salcombe Road. This is a busy junction with no pavements from Salcombe Road along Millford Road to Beatlands Road junction. Pedestrians and mobility scooters face a problem crossing Millford Road to turn into Beatlands Road due to vehicles coming from three directions and no pavement. (Note the road may not be wide enough to install keep left bollards in the middle of the road as a safe refuge point.)

The distance from the junction of Beatlands Road with Millford Road up the hill to Cliff Road is 0.27 miles.

From the junction of Beatlands Road with Millford Road it is all uphill, in some places very steep, all the way to joining Cliff Road where the existing coast path exits onto Cliff Road.

Picture 10 - Beatlands Road with no pavements.



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The first section of the hill has no pavements at all on either side. This part of the hill is especially steep. In places it is also a single track road, with double yellows along both sides of the road.

Picture 11 - Beatlands road going uphill with no pavements.



For approximately 220 metres up Beatlands Road there is no pavement on the steepest part of the hill.

Picture 12 - Beatlands Road no pavements and narrow with a blind corner.



Picture 13 - Beatlands Road steep hill and no pavements.



Beatlands Drive then forks, with Beatlands Drive bearing to the right. This section of the Road does have a pavement along one side and grass verges on the other for the next

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200 metres. Mostly these pavements are between 1.00 m and 1.5 m wide. These are wide enough for pedestrians and mobility scooters, except where white vans park on the pavement and obstruct it forcing pedestrians to use the road.

The pavement in front of a house called Sunset is a good 1.5m wide.

Pictures 14 & 15 - upper Beatlands Road with pavements.



This top section of Beatlands Road, whilst still going up hill, is much less steep than the lower part of Beatlands Road.

Where Beatlands Road meets Cliff Road there is a drop kerb. Cliff Road has a pavement about 1.00 m wide up the hill until Cliff Road turns to the left. The pavement along Cliff Road is satisfactory.

## **DCC footpath bridges.**

Over the years DCC have installed many new cycle and multi path bridges, all of these have been fully mobility scooter passable.

- Exe Estuary trail – new river bridge at Topsham beside the railway line, over 100m long with 3 concrete piers in the river
- Granite and gears new footbridge over B3212 at Dousland on the Burrator reservoir to Princetown route.
- Viaduct on the Tarka Trail
- Pedestrian footbridge over the A38 near Stover Country park
- New footbridge over the railway line near Turf Locks on the Exe Estuary trail.

The last two footbridges in particular are very high, are fully ramped and fully wheelchair, pram, bicycle, and mobility scooter accessible. Due to the height of these bridges and the ramping there may be some design ideas that could be used in Sidmouth.

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## Summary of SW Coast Path diversion inland for those unable to use a stepped bridge

- Most of the diverted route has no pavements; the roads are narrow with regular vehicles going along them. In those sections with no pavements there is no safe refuge for pedestrians or mobility scooters when vehicles come along.
- Where there are pavements, e.g. Mill Street some of these pavements are too narrow.
- In some locations there would need to be clear and safe refuge areas for pedestrians, parents with prams, wheelchairs and mobility scooters to reduce risk.
- The exit from the Ham onto Riverside Road through the chicane of the metal fences may need widening for larger class 3 type mobility scooters.
- Footbridge from Mill Street to Millford Road. The ramps onto this footbridge are very short and so very steep. They would prevent manual wheelchairs and smaller mobility scooters from using the footbridge. Larger class 3, 8 mph scooters should have no problem.
- There is a telegraph pole at the bottom of the footbridge ramp which potentially may need to be relocated.
- In a number of places, depending on which part of the pavement was used, there would be a need for extra drop kerbs.
- The hill steepness on the lower part of Beatlands Road is very steep. There are no pavements, no refuge areas, and some of the road is single track. This section in particular has considerable risk if it remains unchanged.

The diversion of the SW Coast path to use the above mentioned streets raises considerable problems for many members of the public and users and raises a large number of questions in relation to risk.

It is likely that the risk elements, and difficulty of using steep ramps and steep hills whilst facing vehicles would deter many elderly and wheelchair users from using this diverted route. The current route using the temporary Alma Bridge footbridge over the River Sid does avoid these many problems.

Gordon Guest  
11/09/2017