



**Devon Countryside Access Forum**  
**Lucombe House**  
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**Fifty-Second meeting**  
**Devon Countryside Access Forum**

**The Kenn Centre, Exeter Road, Kennford, Exeter EX6 7UE**

**Thursday, 24 January 2019 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 meeting held on 9 October 2018 (Pages 1 - 12)
4. Matters arising
  - 4.1 Exe Estuary Partnership Dog Walking Code (4.1 09.10.18)
  - 4.2 Coastal access progress reports (16. 09.10.18)
5. Public questions
  - 5.1 Highway Code

Mrs Chris Ingram, South West Riders, has requested that the DCAF write to the Department of Transport to ask for horse-riders, as vulnerable road users, to be included in the forthcoming review of the Highway Code.

6. Correspondence log (Pages 13 - 16)

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. Reports from meetings attended by DCAF members

7.1 Regional Local Access Forum 2026 Training Day

Report from training day led by Sarah Bucks and Phil Wadey, authors of 'Rights of Way. Restoring the Record'.

7.2 Parish Paths Partnership annual volunteer events

8. Minutes of the Public Rights of Way Committee meeting held on 15 November 2018 (Pages 17 - 20)

9. Public Rights of Way update

10. Presentation by Richard Walton, South West Coast Path National Trail Officer

11. DCAF Greenspace position statement

To discuss draft position statement.

12. To note and approve responses to consultations and any feedback

12.1 Cycling and Walking Investment Strategy safety review: proposals for new cycling offences (Pages 21 - 22)

To note and approve response.

12.2 Areas of Outstanding Natural Beauty Position Statement (Pages 23 - 26)

To note and approve DCAF response to the five Devon AONBs Management Plan reviews.

12.3 Emerging Exeter Vision for 2040 (Pages 27 - 28)

To note and approve response (text submitted to online survey)

12.4 Protected Landscapes Review (Pages 29 - 32)

To note and approve response.

13. Current consultations

13.1 Hemyock Common (Pages 33 - 42)

Review of statutory direction under the Countryside and Rights of Way Act

2000. Natural England.

13.2 Fire Beacon Hill management options consultation (Pages 43 - 54)

RSPB consultation on the future management of Fire Beacon Hill, a Local Nature Reserve. The site is access land.

14. Dates of meetings 2018/2019

15. Any other business

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 Fifty-First meeting  
of the Devon Countryside Access Forum  
held at The Kenn Centre, Exeter Road, Kennford EX6 7UE  
Tuesday, 9 October 2018

## **Attendance**

### *Forum members*

Chris Cole (Vice-Chair)  
Gordon Guest  
Jo Hooper  
Councillor Tony Inch

Charlie Lloyd  
Sarah Slade (Chair)  
Maggie Watson

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

Tom Green, Public Rights of Way Officer (Definitive Map Review), DCC  
Ros Mills, Public Rights of Way Manager, DCC  
Hilary Winter, Forum Officer, DCC

## **1. Apologies**

Apologies were received from Andrew Baker, Simon Clist, Sean Comber, John Daw, Linda Lee, Sophie Pritchard, Sue Pudduck and Cllr Philip Sanders.

Members noted with regret the resignations of Christine Ingram and Mark Simpson and the Chair expressed grateful thanks for their contribution. Christine Ingram had been on the DCAF since the outset and, as a horse rider, had been instrumental in providing evidence and support for multi-use trails. Mark Simpson had represented land management views on access for the past seven years.

Tom Green, recently appointed Definitive Map Review officer, was welcomed to the meeting.

## **2. Declaration of interests**

There were no declarations of interest.

## **3. Minutes of the meeting held on April 26, 2018**

Minutes of the previous meeting, held on 26 April, were approved and signed.

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.

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## 4. Matters arising

### 4.1 Exe Estuary Partnership Dog Walking Code (12.3 26.04.18)

Members received a printed copy of the Exe Estuary Partnership Dog Walking Code. It was agreed this was much clearer than the earlier draft and should provide good practice for other sensitive wildlife areas. It was confirmed the printed codes had been distributed via wardens, officers, the Patrol Boat and some local clubs and businesses. A workshop at the recent Exe Estuary Stakeholder Forum had discussed further distribution including via libraries, dispensers, accommodation providers/pubs/cafes, retail stores, groups and clubs and use of social media/apps and QR codes. Veterinary practices were suggested as a further distribution point, if not raised at the workshop.

*Action: Forum Officer to send an email welcoming the leaflet and to suggest vet practices.*

Ros Mills agreed to check links from the Public Rights of Way website and suggested a news item on the website and through the ADEPT public rights of way group (The Association of Directors of Environment, Economy, Planning and Transport).

*Action: Ros Mills to publicise dog walking code.*

It was agreed consistency was needed to reinforce the messages.

It was noted that there had also been a review of signage around the estuary, funded by Natural England and the South East Devon Habitat Regulations Partnership. There had been a subsequent update and rationalisation of signage. The Exe Estuary Trail signage had been funded by Devon County Council and undertaken by the Exe Estuary Management Partnership.

It was suggested and agreed that it would be sensible to have common themes on the signage and to ensure signposting to dog available areas. A link to the Forestry Commission would also be helpful to ensure consistency in the messages received by the public.

*Action: Forum Officer to write to the Exe Estuary Officer*

It was agreed it was difficult to enforce the code and education was important. Dawlish Warden had on-site rangers. There was an ongoing issue with a minority of dog owners.

Dog walkers were a key access group and brought money into the economy.

## 5. Public questions

There were no public questions.

## 6. Correspondence log

The correspondence log was noted. The Chair drew attention to a few items. Number 8 related to copy correspondence from the British Horse Society County Access Officer referring to complaints about horse-riding on Exmouth beach and subsequent press coverage. The Town Council was investigating. A Public Spaces Protection Order could be applied for and this would be a legal consultation process. It was not thought there had been a PSPO for horses elsewhere and members agreed mediation might be the solution.

Number 9 noted the response to the Landscape Character Assessment for the East Devon and Blackdown Hills AONBs. Public rights of way had a small impact, but a few key aspects were flagged up in the survey.

Number 17 referred to a village green application in Ermington. This was a legal process associated with proof of evidence that a significant number of inhabitants in the locality or neighbourhood had used the area as of right for lawful sports and pastimes over a period of a least twenty years and continued to do so.

Cllr Inch said that the Local Plan, item 20, should be signed off by North Devon and Torridge District Councils at the end of October.

## 7. Report from Training Day held at Haldon Forest Park

Members had enjoyed the Training Day at Haldon Forest Park and it was agreed it had been most useful and interesting. It was noted the Forestry Commission had subsequently obtained planning permission for additional car parking and a new visitor centre.

The lack of public transport to Haldon was discussed. This had been overlooked in the initial bid to Sport England and remained a problem, particularly for teenagers and those without transport. People were reliant on cars to enjoy the many activities. Stover Country Park, although much smaller, received a similar number of visitors, perhaps due to better transport links and more level ground. Haldon was geographically remote, due to topography, but the Forestry Commission had made the best use of its resources. It was felt, to some extent, that activities were structured with signs for children as the educational target – the success of the Gruffalo and Highway Rat campaigns were noted - and that creating one's own adventure and exploring the woodland off-path was becoming more alien for young people and families.

It was agreed the lack of public transport could be fed into wider strategic plans for the Exeter area. A shuttle bus, provided through s106 contributions from developers, could be one solution.

*Action: Forum Officer to look at relevant plan consultations and report back.*

Lessons about public transport could be learnt from Haldon. Locations close to urban areas for people to enjoy were needed. The new SANGS (Suitable Alternative Natural Greenspace) park at Dawlish did not permit cycling and it was agreed safe

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cycling areas were also needed. (With SANGS sites dog walkers were the key focus to offset impacts on nature conservation areas).

## 8. Launch of the National Land Access Centre

Sarah Slade, in her CLA capacity, had sat on a working group updating the British Standard for Gaps, Gates and Stiles. She had recently attended the launch of the National Access Centre, a place where the variety of standard compliant gates and structures could be showcased. It was a resource people and groups could use and had Natural England backing. There were no livestock there. Yellow marking was included on the new structures to improve visibility.

The motorcycle inhibitor shown in one of the photographs would deter the casual motorbike user.

## 9. Disability access update

Gordon Guest reported on progress with disability issues.

### *Dawlish Warren nature reserve*

A DCAF working group previously visited the reserve and discussed mobility scooter access. Some gates had subsequently been improved which was welcomed. One additional gate into the nature reserve needed further work. The financial constraints in improving structures were recognised.

### *Dawlish Countryside Park*

A DCAF working group visited the park and met with site rangers. A number of issues were identified. Gordon had made a return visit and seen work in progress. A further visit was planned with disabled persons who cannot walk to see whether gate adaptations are satisfactory.

### *Jetty Marsh Nature Reserve, Newton Abbot*

Gordon had met the Ranger to discuss changes to a motorcycle inhibitor to make the reserve more accessible. The old canal path and quayside were generally accessible, but some path improvement work was identified.

### *Dartmoor National Park*

The 2018 Dartmoor Walking Festival had 80 walks, 9 of which were mobility scooter walks. In preparation for this, Dartmoor National Park Authority had made some repairs to the gate and path at Haytor Quarry, rebuilt the path at Princetown (behind the fire station), and ramped the bridge edges on the old tramway to make these routes scooter accessible. This demonstrated that small inexpensive improvements can make a big difference to access. A recurring issue is the lack of wheelchair accessible toilets for non-walking scooter users throughout Devon and discussions needed to take place with pubs and camping sites.



## *Culm Valley Trail, Clyst St George*

Gordon had met with Simon Bates from East Devon District Council and had looked at the on-road part of the site and suitability for disability users. This was considered satisfactory. The Bishop's Palace section will need more work. Gate design and the DCAF chart of scooter sizes was discussed.

## *Killerton to Broadclyst*

An earlier report on the route had been sent to the National Trust. This will eventually form part of the Culm Valley Trail. Gordon reported that some surface improvements had been made to the path and gates were mostly easy to use. Many of the kissing gates, log barriers and other barriers on the Killerton Estate had been removed or improved. Killerton now has a Countryside Mobility Trumper, which can be used on three separate routes.

## *Budleigh Salterton*

The DCAF had walked the river footpath. None of the gate accessibility issues had been resolved.

Ros Mills, DCC, said the path from White Bridge to Budleigh Salterton was currently closed due to flooding. This was on Clinton Devon Estates land and was an Environment Agency matter. The Council was working closely with Clinton Devon Estates and would create a cul-de-sac route to a bird hide in the interim. She apologised that improvements on the southern section had not taken place. The northern section to Otterton could not be made accessible due to bridge location and design at the road end at Otterton. Gordon said that a route part way would still be welcome.

## **10. Update on actions following presentation from the Highway Asset Manager**

Ros Mills, DCC, confirmed that categories of highway were not available on a public facing website. Although mentioned in committee reports, the categories were not explicit. The categories were being reviewed in accordance with best practice and consultation with parishes. It was agreed that public accessibility to this information would be useful.

Safe verge passage was in hand where public rights of way linked to key recreational routes nearby. It was not possible to put in place for all rights of way. Parish Councils had a key role in identifying and ensuring some verges offered safe refuge.

A meeting had taken place with representatives from the Trail Riders Fellowship, including Chris Cole. Two pilot routes had been proposed, one in South Hams and one in East Devon, to trial the methodology. The objective was to use volunteers to improve signage so that roads unsuitable for motor vehicles were better signed and showed that use by recreational access users was still permitted. DCC would provide the signs and the TRF would use volunteers to put these up and give in-ground posts extended life.

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Steve Gardner, DCC, would be the main lead on the TRF project. A process had been drafted by the TRF and safeguards needed to be approved and established, alongside communication with the Neighbourhood Teams. Further information would be available for the next meeting.

*Action: Ros Mills to update DCAF at the next meeting on the road category review and the TRF project.*

Maggie Watson reported that the potholes highlighted at the last meeting had subsequently been re-surfaced very well.

## 11. Public Rights of Way update

Ros Mills provided a Public Rights of Way update:

1. The next PRoW Committee meeting would be held on 15 November.
2. A Public Inquiry was being held in Ugborough on 11 October.
3. The PRoW team was dealing with a large number of complex planning applications. The DCAF was thanked for developing its planning position statement.
4. The Technical Officer had reduced her working time by two days and a new member of staff, Steve Trick, had been appointed. He would be invited to the next DCAF meeting. PRoW was looking at better ways of managing the network through a GIS based inventory software system to pull all the records together in one place – legal, maintenance and enforcement. A demonstration would be provided at the next meeting. It must integrate with other DCC systems. It was hoped to include data from the Country Parks to help manage those assets.
5. Dartmoor National Park was now using a CAMS (Countryside Access Management System) mapping tool. This had a good public facing reporting system.
6. PRoW had a standstill budget. DCC was under financial pressure due to overspend. Highways had a £2m cut. Finances in 2019/20 were looking tough and the aspiration was to manage the PRoW network in line with best practice asset management tools in a sustainable way.
7. Closures of paths at Budleigh Salterton had been actioned and publicised on the website following erosion along the river.
8. The new British Standard for Gaps, Gates and Stiles was in place and DCC would wait to see if there were any challenges. New stock complied with the revised BS, which only applied to new fixtures.
9. The dry weather may have caused or contributed to cracking of the surface along the Exe Estuary Trail; the Grand Western Canal also has issues that have become apparent after the dry summer. This was a concern and a maintenance cost.
10. The road at Slapton was scheduled for re-opening on 26 October. Match funding was being sought to reinstate the associated South West Coast Path damage, hopefully during 2018.
11. Further work was being done on extending the Pegasus Way along the former railway line between Thorndon Cross and Halwill. Acquiring sections of the line was a long process. Not all the route would be off-road.

12. DCC Planning, Transport and Environment had provided a schedule of cycle and multi-use trail projects and progress throughout the County.
13. Conversations were ongoing about the England Coast Path and in particular some missing sections. Some Planning Inquiries were likely on the Lyme Regis to Kingswear stretch.

In answer to a question about the mapping, Ros Mills confirmed that there were three types of mapping, each for different purposes:

- ✓ The Definitive Map and Statement;
- ✓ The List of Streets, held by Land Charges, which is a list of all maintainable highways; and
- ✓ The National Street Gazetteer which contains all public or private routes.

The aim is to have a mapping system in PRow which will assist with the future legal Consolidation of the Definitive Map and Statement.

## **12. Minutes of the Public Rights of Way Committee held on 5 July 2018**

Minutes of the Public Rights of Way Committee were noted. The meeting had been preceded by a training session.

## **13. Presentation by Roger English, South Devon AONB Manager**

Roger English introduced himself as Manager of the South Devon Area Of Outstanding Natural Beauty. There are forty-six AONBs in the UK, fourteen in the South West. Devon has two National Parks and five AONBs, 35% of the land cover. AONBs are covered under the same law as the local access forums, the Countryside and Rights of Way Act 2000, but under part 4.

The statutory management plan of an AONB carries weight in the planning process although the AONB is not a planning authority. The AONB works jointly with local authorities.

The current consultation on the Management Plans is open to stakeholder groups and the contribution of the DCAF would be valued.

South Devon is a coastal AONB with additional areas up the Avonwick and Dart estuaries, nearly as far as Totnes. It did not quite satisfy the grade to be designated as a National Park. The AONB is impacted by the growth of Plymouth, Torbay and Sherford. Some parts of the South Hams, not in the AONB, are seen as being of similar landscape value which can be confusing. The AONB works across a wider scale on some aspects, for example; with the National Park on river catchments; with fishing interests on access and egress points; heritage coast policies extend off-shore for 2-3 miles; and some farms have land parcels which extend from the coast to the National Park.

The South Devon AONB was designated in August 1960. It has no specific citation or list of damaging operations. Its clear purpose is the conservation and enhancement of natural beauty. The AONB has to deliver givens around health and well-being, land management and quiet recreation to achieve its purpose.

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The expectation is that the Management Plans, now in their fourth iteration, will have a light touch review. One question is where access and recreation will fit in with Post Brexit agriculture. Some tweaks around the edges are anticipated.

There are some key areas of work AONBs should focus on collectively or individually. Initially the five AONB documents were very different but now try to share a common layout. South Devon has the most complicated landscape. The Management Plans are now shorter, with additional information included as annexes.

The access, recreation and tourism theme includes some generic words and phrases but has a local flavour. The DCAF position statement was useful in past reviews.

The key statutory body is Natural England which carries out assessments. It identified access, recreation and the economy as policies which could have an effect. Money from developers has been used to fund information boards along the Yealm Estuary. The AONB aims to spot recreational impacts and try to achieve these within the delivery plan.

Stripping back the Management Plan chapters to one or two key objectives is challenging but sets the framework for initiatives and campaigning.

The events and activities programme is a well visited part of the website and on social media.

Proactive projects include the realignment of the South West Coast Path at Strete. The South West Outdoor Festival had just taken place, in partnership with the National Trust, to get people involved and inspired by the landscape. The idea is that the festival will grow and be taken to different locations. The AONB is involved with Connecting Actively to Nature, focussing on the over 55s, grandparents and grandchildren and WI groups.

The Protected Landscapes Review is currently taking place, with a review panel chaired by Julian Glover. Lord Cameron of Dillington is the most local member. He has met with members of the National Association of AONBs and the call for evidence is likely to be launched at the end of October. It is an important opportunity to represent individual interests and those of organisations such as the DCAF. The review is not seeking to diminish the extent of protected landscapes or to cut funding but to put them on a sounder footing. The review is also exploring how places can put a case for designation. The South Devon AONB is working up its own response.

A discussion took place.

In answer to a question about whether achieving sustainability alongside the promotion of recreational assets could be self-defeating, Roger said that the AONB worked with landowners and other land managers to direct pressure to other areas and to improve the coastal infrastructure where required. South Milton was a success story and had become too popular. Promotional material had been taken to other areas.

The improving technology of mobility scooters was raised. The importance of accessible gates and removing barriers to improve accessibility were mentioned, along with wheelchair accessible toilets.

An example was raised of a planning application in the North Devon Coast AONB which had been approved by the Secretary of State, despite opposition, and which had led to light pollution. Roger said this was the type of example to raise in the Review.

Roger confirmed that aspects of climate change were included in the section on natural resources which looked at mitigation and collaborative work. Concern was expressed about the landscape being devoid of wildlife and that there should be planning for wildlife/conservation alongside protection for specialist species. Roger said this was an area of work that the Review Panel and Defra are keen on. A number of tests and trials for the Environmental Land Management Scheme had been carried out at a landscape scale. A facilitation group in the Avon Valley was achieving good results. All AONB partnerships in Devon also had a level of engagement with the Devon Wildlife Trust.

The Devon AONBs would be meeting in November and it was agreed there was scope for the DCAF to feed in its views.

#### **14. Areas of Outstanding Natural Beauty position statement**

Members agreed with the Chair's suggestion that a working group be convened to discuss this in detail.

*Action: Forum Officer to circulate Doodle poll.*

#### **15. Green space position statement**

It was agreed to discuss the greenspace position statement alongside the AONB position statement at a working group meeting. Gordon Guest, Charlie Lloyd, Sarah Slade and Maggie Watson expressed interest in attending.

#### **16. Coastal access progress reports from Natural England**

The updates from Natural England were welcomed. Some points were vague due to continuing discussions with landowners. There are likely to be some compromises and solutions that can be discussed.

It was not known whether roll-back proposals are causing concerns. This was more likely to be the case at later stages, following erosion.

In South Devon the bulk of spreading room and coastal margin was in place but estuaries remained the main focus. Access to spreading room reduced insurance liability although it was acknowledged that insurers did not always understand the implications.

Along the south Devon coast, the South West Coast Path crossed the estuaries low down. It was likely an alternative route would be put in on the River Yealm for times

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when the ferry is not operating. An alternative route had fewer complications for landowners, as coastal margin is not included, and more flexibility for Natural England as an alternative path did not have to be routed so close to the estuary. Improving ferry services was one option and some local authorities elsewhere had contributed to a winter service. Ferries on request required more organisation. It was agreed that the coast path brings economic benefits.

It was agreed, subject to approval from the whole Forum, that Natural England should be asked to explore alternative routes along the estuaries.

It was agreed to ask Natural England whether there were any particular issues on either stretch of coast that were being raised by landowners.

*Action: Forum Officer to draft a letter to Natural England and circulate to members.*

## **16.1 North Devon - Combe Martin to Marsland Mouth**

The report from Natural England was noted.

## **16.2 South Devon - Cremyll to Kingswear**

The report was noted.

## **17. To note and approve responses to consultations and any feedback**

### **17.1 Health and harmony: the future for food, farming and the environment in a Green Brexit. Defra**

The response was noted and approved.

### **17.2 Cycling and Walking Investment Strategy Safety Review**

The response was noted and approved.

### **17.3 Children's health and physical activity. ukactive**

The response was noted and approved.

### **17.4 Stover Country Park. Heritage Lottery bid**

The bid support letter was noted and approved.

### **17.5 Local Plan Review - Issues Consultation. Teignbridge District Council**

The response was noted and approved.

## **17.6 Clyst St Mary multi-use trail - 18/1893/FUL. East Devon District Council**

The response was noted and approved.

## **18. Current consultations**

### **18.1 New cycling offences: causing death or serious injury when cycling. Department for Transport**

Members discussed the current consultation from the Department for Transport on creating new cycling offences. Initially some members had thought that widening the legislation might be useful as it would be easier to prosecute if there were specific offences. However, on reflection, members had reservations. There were a number of matters that had not been addressed in the proposals and in particular the law off highway and the range of places that could be included in the term 'public place'. The Forestry Commission, for example, held public liability insurance. The consultation did not cover other dangerous users using other modes of transport. The burden of proof would always be difficult, particularly in rural areas. Members thought it important to encourage cycling and asked whether other legislation, such as Public Spaces Protection Orders, could tackle some persistent problems. Education and increasing awareness of cycling safely around pedestrians were also raised.

Members agreed they had concerns about extending the legislation. There were other ways in which issues around cycling could be tackled. There were concerns about the difficulty in defining public place. It was noted the UK does not have personal liability insurance unlike some other European countries.

*Action: Forum Officer to circulate draft response.*

## **19. South West Coast Path stakeholder meeting**

A letter from the Chairman of the South West Coast Path Association, Ken Carter, had been received in June about involvement with stakeholders. A follow-up email from the new National Trail Officer, Richard Walton, had confirmed that he intends to use a combination of newsletters and informal meetings to engage with stakeholders. Larger, more formal meetings are only envisaged when there are significant strategic matters to discuss. He had offered to give a presentation to a future DCAF meeting on the management of the South West Coast Path, or to meet nominated members to discuss.

It was agreed to invite Richard Walton to the January meeting.

*Action: Forum Officer to contact Richard Walton.*

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## **20. Training Day on 2026**

The Regional LAF training day on 2026, led by Phil Wadey and Sarah Bucks, would be held at Ruishton Village Hall on 29 November. Chris Cole, Cllr Tony Inch, Sue Pudduck and Cllr Philip Sanders had expressed interest in attending.

*Action: Forum Officer to complete attendee form and forward agenda, when available.*

## **21. Any other business**

There was no other business.

## **22. Date of next meeting**

The next meeting would be on Thursday, 24 January 2019, venue to be arranged.

DRAFT



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

	Sender	Subject	Action and any feedback
1	Neighbourhood Planning Officer East Devon District Council 10.10.18	Payhembury Neighbourhood Plan consultation.	No action taken.
2	Strategic Planning SW Devon 22.10.18	<p>Plymouth &amp; South West Devon Joint Local Plan – Main Modifications Consultation.</p> <p>The Plymouth and South West Devon Joint Local Plan was submitted for Examination in July 2017 and has now passed through the formal hearing sessions. In August 2018 the Inspectors issued a Post Hearing Advice Note (EXC15) which set out that they believed that the Joint Local Plan is a plan which could be made sound with number of Main Modifications (MMs).</p> <p>The Councils have prepared a schedule setting out the proposed Main Modifications considered necessary for the JLP to be found sound. This document, along with an updated Sustainability Appraisal Report and Habitats Regulations Assessment is now available consultation.</p>	No major new modifications that impact on DCAF remit.
3	Local Plan Torridge District Council and North Devon Council 1.11.18	<p>Regulation 26 and 35: Town and Country Planning (Local Planning)(England) Regulations 2012 - Notification of adoption of the North Devon and Torridge Local Plan</p> <p>In accordance with the above regulations, notice is hereby given that North Devon Council and Torridge District Council adopted the North Devon and Torridge Local Plan 2011-2031 pursuant to Section 23(3)(b) of the Planning and Compulsory Purchase Act 2004 (as amended) on 29<sup>th</sup> October 2018.</p> <p>The North Devon and Torridge Local Plan was the subject of an independent examination conducted by Mrs Wendy Burden BA(Hons) DipTP MRTPI, an Inspector appointed by the Secretary of State. In her report published on</p>	No action needed.

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		<p>13th September 2018 the Inspector confirmed that the North Devon and Torridge Local Plan is sound and legally compliant subject to the application of recommended Main Modifications and thus able to be adopted by the District Councils. The Inspector's report, Examination documents IR01 and IR01a, can be viewed through:</p> <p><a href="http://consult.torridge.gov.uk/portal/planning/localplan/examination/">http://consult.torridge.gov.uk/portal/planning/localplan/examination/</a></p>	
4	<p>Open Access Centre Natural England 12.11.18</p>	<p>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 additional date of 18 December 2018.</p> <p>21 of the 28 days allocated to this case have now been used.</p>	No action required.
5	<p>Open Access Centre 19.11.18</p>	<p>Case number 2018118773.</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 2019: 9 and 23 March, and 6 and 20 April.</p> <p>4 of the 28 days allocated to this case have now been used.</p>	No action required.
6	<p>East Devon District Council 28.11.18</p>	<p>Draft Heritage Strategy Consultation 2019-2031.</p>	Not central to remit. Chair suggested members might wish to respond in a personal capacity.
7	<p>East Devon District Council 6.12.18</p>	<p>East Devon and Blackdown Hills Landscape Character Assessment</p> <p>East Devon District Council, working with Devon County Council, the Blackdown Hills AONB partnership and the East Devon AONB partnership commissioned Fiona Fyfe Associates to produce a new Landscape Character Assessment and consultation is taking place on the draft report.</p> <p>The consultation will close at 9.00 a.m. on Monday 4 February 2019.</p>	Initial comments made. See correspondence log for meeting held on 09.10.18.

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8	Planning Marine Management Organisation 14.12.18	In early 2019 the MMO will be engaging on the Iteration 3 outputs for marine planning in the north west, north east, south west and south east.  The engagement period will take place between Monday 21 January 2019 and Friday 29 March 2019. It will include workshops, in each of the four marine plan areas supported by online engagement.	Potential DCAF input will be assessed.
9	Mid Devon District Council 18.12.18	Announcement of Mid Devon District Council Local Plan Review Examination Hearings.	No participation at hearings necessary.
10	Neighbourhood Plan Officer East Devon District Council 2.01.19	Sid Valley Neighbourhood Plan available for consultation until 5pm on 15 February 2019.	Neighbourhood Plan position statement to be submitted.

*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.*



## PUBLIC RIGHTS OF WAY COMMITTEE

15 November 2018

### Present:-

Councillors P Sanders (Chair), T Inch, P Colthorpe, A Dewhirst, L Hellyer and C Whitton

### Apologies:-

Councillors M Shaw

### \* 76 Minutes

**RESOLVED** that the minutes of the meeting held on 5 July 2018 be signed as a correct record.

### \* 77 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

### & 78 Announcements

The Chair welcomed Mr Hipkin who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework. He also welcomed Tom Green, the new Definitive Map Officer for the East Devon area.

### \* 79 Devon Countryside Access Forum

The Committee received the draft minutes of the meeting held on 9 October 2018 and a verbal update was given on the management of public rights of way and off-road cycle routes.

### \* 80 Parish Review: Definitive Map Review - Parish of Kentisbury

(Councillor Davis attended in accordance with Standing Order 23(2) and spoke to this item at Proposal 1 at the invitation of the Committee and Councillor Harper-Davis from Kentisbury and Trensishoe Parish Council attended the meeting under the Council's Public Participation scheme and spoke to this item at Proposal 1.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/75) which examined two proposals arising from the Definitive Map Review in the Parish of Kentisbury.

There was discussion with Members and Officers around safety issues relating to Proposal 1 where the right of way exited onto the A39 road. Whilst safety factors were not pertinent to the decision, officers highlighted that the Council could carry out a Safety Assessment at the location should the route be recorded, and if so requested.

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

### **RESOLVED**

- (a) that a Modification Order be made to modify the Definitive Map and Statement by adding a restricted byway to the Definitive Map and Statement between points A-B-C-D as shown on drawing number HCW/PROW/17/34 (Proposal 1); and

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PUBLIC RIGHTS OF WAY COMMITTEE  
15/11/18

(b) that a Modification be not made in respect of Proposal 2.

\* **81**      **Parish Review: Definitive Map Review - Parish of Sampford Peverell**

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/76) which examined proposals for change arising out of the Definitive Map Review in the Parish of Sampford Peverell in Mid Devon.

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

**RESOLVED**

(a) that a Modification Order be made to modify the Definitive Map and Statement by adding a Public Bridleway along Whitnage Lane between points A-B-C-D as shown on drawing number HIW/PROW/18/012 (Proposal 1); and

(b) that a Modification Order be not made in respect of Proposal 3.

\* **82**      **Parish Review: Definitive Map Review - Parish of Uplowman**

(Councillor Colthorpe declared a personal interest in Proposal 1 by virtue of knowing persons mentioned in the Report.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/77) which examined the route referred to as Proposal 1 arising out of the Definitive Map Review in the Parish of Uplowman in Mid Devon. The route was also Proposal 1 in the Definitive Map Review for the Parish of Sampford Peverell running concurrently (Minute 81).

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

**RESOLVED** that a Modification Order be made to modify the Definitive Map and Statement by the addition of a Public Bridleway along Whitnage Lane between points A-B-C-D as shown on drawing number HIW/PROW/18/012 (Proposal 1).

\* **83**      **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/18/78) on decisions received from the Secretary of State.

It was noted that the Report omitted reference in (i) to a second Modification Order, and should read:

*'(i) Devon County Council (Footpath Nos 60 and 61 Luppitt) and (Footpath No 62 Luppitt) Definitive Map Modification Orders 2017...'*

\* **84**      **Modification Orders**

The Committee received the Report of the Chief officer for Highways, Infrastructure Development and Waste (HIW/18/79) on Modification Orders confirmed as unopposed under delegated powers, namely:-

- (i) Footpath No 10a, Culmstock Definitive Map Modification Order 2018
- (ii) Footpath Nos 49 and 50, Salcombe Definitive Map Modification Order 2018.

\* 85

## **Public Path Orders**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/80) on Public Path Orders made and confirmed under delegated powers, namely:-

### Diversion Orders

- (i) Bridleway No. 15, Axminster Public Path Diversion & Definitive Map and Statement Modification Order 2015.
- (ii) Footpath No. 36, Upottery & Footpath No. 7, Stockland Public Path Diversion & Definitive Map and Statement Modification Order 2018.
- (iii) Footpath No. 23, Holcombe Rogus Public Path Diversion & Definitive Map and Statement Modification Order 2017.

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

The Meeting started at 2.15 pm and finished at 3.25 pm







## Devon Countryside Access Forum

Lucombe House  
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Topsham Road  
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Pauline Morgan  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

5 November 2018

Dear Ms Morgan

### **Cycling and Walking Investment Strategy safety review: proposals for new cycling offences**

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice “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...”

The DCAF currently has fifteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

Members of the Devon Countryside Access Forum discussed the proposed cycling offences at the meeting held on 9 October and agreed to submit the following comments.

Members were of the opinion that no new cycling offences should be introduced and that the existing legislation was proportionate. Members recognise the health and wellbeing benefits of cycling and would wish to encourage cycling, both for functional purposes and for recreation.

The burden of proof in a cycling accident, particularly in rural areas, is very challenging. Equally, in rural areas there are many places off the highway where people cycle which could be included in the term ‘public place’. There is no proposed definition of this term, and achieving a satisfactory and agreed definition would be difficult, particularly where landowners are in the public, private and charitable sectors. It would be important to

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.

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achieve consistency and not inadvertently burden places to which the public might be invited, such as venues providing cycling facilities.

Using other legislation, such as Public Spaces Protection Orders, might be explored to limit the impact of persistent anti-social cycling behaviour.

Tackling cycling behaviour through education and increasing awareness of safe cycling in proximity to pedestrians is considered a better approach.

The consultation only covers cyclists – inappropriate and dangerous behaviour by anybody, using whatever mode of transport, that causes death or serious injury should have been considered together.

The Forum trusts its views will be taken into account.

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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## **Areas of Outstanding Natural Beauty**

### **Devon Countryside Access Forum**

#### **POSITION STATEMENT Access and Recreation**

The Devon Countryside Access Forum is a statutory local access forum under the Countryside and Rights of Way Act 2000. Its remit is to provide independent advice “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...” Its geographical area of coverage is Devon, with the exception of the Unitary Authority areas and National Parks which have their own forums.

The DCAF currently has fifteen members, appointed by Devon County Council, who represent the interests of access users, landowners/managers and other areas of expertise such as health and conservation.

The Position Statement on AONBs has been prepared in order to provide a consistency of advice across the five AONBs within Devon. Section 94 of the Countryside and Rights of Way Act makes it a statutory function of forums to give advice to specified bodies, including Areas of Outstanding Natural Beauty Conservation Boards.

The DCAF considers the following aspects to be important in the Management Plans for the AONBs.

#### **Vision Statement**

The Devon Countryside Access Forum recognises the function and primary purpose of the AONBs. It supports a vision conserving and enhancing the natural beauty and landscape of the AONB. Opportunities to appreciate the tranquillity of the AONB and enjoy the scenery through quiet enjoyment should be the focus of chapters on access and recreation.

#### **Essential criteria**

The AONB Management Plan should identify the extent of recreational opportunities in the AONB, within the context of the overall Plan. This should include the length of public rights of way, area of access land, important

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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recreational trails and routes and other opportunities for recreational access such as beaches, country parks, permissive access and Forestry Commission, National Trust and Woodland Trust land.

The Management Plan should recognise the intrinsic importance of the existing highway network (including public rights of way), verges and heritage features as assets for the public to appreciate the landscape and access other recreational opportunities. These assets are part of a Natural Capital approach, for example Devon is appreciated for its sunken lanes, hedgerows and verges rich in flora.

## **Objectives and Policies**

These are inter-linked. The DCAF has identified the following aspects as key matters which AONBs should include within their Management Plans. AONBs should:

### *Maintenance and improvement*

- a) liaise with the local highway authority over opportunities to sensitively enhance access and remedy deficiencies for particular groups of users, for example disabled users. The DCAF has developed a [Disability Access Position Statement](#)
- b) refer to the legal role of the local highway authority in maintaining public rights of way, unsurfaced unclassified County roads (uUCRs) and cycle/multi-use routes;
- c) demonstrate how it will develop a partnership with authorities and others to deliver priorities;
- d) refer to the role of Parish Paths Partnership (P3) groups and other voluntary groups in maintaining public rights of way and other areas of land enjoyed by the public;
- e) work with the local highway authority and other partners to identify funding sources to enable access improvements to take place.
- f) liaise and consult with landowners when new routes are proposed;
- g) encourage suitable surfacing of multi-use routes to permit access by all users. Routes should be compatible with the landscape and sensitive to the location.
- h) seek to work with partners to improve the safety of access users, particularly on roads or where rights of way join roads;
- i) refer to the Rights of Way Improvement Plan (DCC, 2005) and the Devon Countryside Access Forum. The Devon Countryside Access Forum is a statutory local access forum under the Countryside and Rights of Way Act 2000, with a remit 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...” Members of the DCAF represent the interests of access users, landowners/managers and other areas of expertise.

### *Promotion and economic and health benefits*

- j) work with the local highway authority and other partners to promote quiet, sensitive and sustainable recreational activities within the AONB;
- k) encourage people to spend time in the landscape and spend money in the local economy;

- l) promote activities, including organised activities, which support the physical, psychological and social health of residents and visitors to the AONB;
- m) maximise opportunities to encourage recreational access participation by those with disabilities or health conditions, for example supervised access for those with learning difficulties, dementia walks and improvements to disabled access;
- n) support community involvement and engagement in the work of the AONB, such as in volunteering;
- o) take a leading role in advising and educating the public on responsible use and enjoyment of the AONB, including in new and diverse ways such as digital;
- p) work in partnership with others to help deliver and encourage use of sustainable transport to reach and explore the AONB, for example walking, cycling, horse-riding and public transport;
- q) work with partners to seek funding to promote and deliver economic and health benefits.

## *Other matters*

- r) recognise the expertise and opportunities available through working with the Local Nature Partnership;
- s) work with planning authorities to secure developer contributions towards green infrastructure and associated facilities;
- t) work with parish and town councils, particularly around neighbourhood planning and its delivery;
- u) ensure website information is up-to-date and accurate and identify links to associated information, for example access guides;
- v) ensure policies within the Management Plan support these objectives and include details on potential partners;
- w) ensure that local distinctiveness of the AONB area is maintained when improvements are sought, for example stone stiles and bridges;
- x) include measurable indicators to measure progress on priorities.

Whilst recognising the local distinctiveness of each AONB, the DCAF would value and encourage AONBs to adopt a unified format for their AONB Management Plans.

The DCAF has developed statements on planning related priorities for public rights of way and access; liaison with landowners/managers when new routes are proposed; disability access and Neighbourhood Plans. It has also done work for Devon County Council on developing a policy for multi-use of routes and associated design standards.





## Devon Countryside Access Forum

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Exeter City Council  
Civic Centre  
Paris Street  
Exeter  
EX1 1JN

1 December 2018

Dear Sir/Madam

### Emerging Exeter Vision for 2040

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CROW Act). Its statutory remit is to give independent advice “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...” Section 94(4) of the Act specifies bodies to whom the forum has a statutory function to give advice and this includes councils.

The DCAF currently has fifteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The Vision for Exeter aspires to increase physical activity levels and states that transport will not be a barrier to economic or social activities. The DCAF welcomes this aspiration and the associated benefits to health and wellbeing. With this in mind, the DCAF advises that the Vision for Exeter should not operate in isolation. The developing Vision should indicate how the city and its residents interact with the immediate surroundings and how the council will work with adjoining authorities to achieve the aims of improved health and reduced congestion that are set out in the document.

The Devon Countryside Access Forum met on 9 October and discussed a recent training day held at Haldon Forest Park. One of the items discussed was the lack of public transport for people wishing to access Haldon.

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.

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As one example, Haldon Forest Park offers an incredible outdoor resource but, due to topography, is somewhat isolated from the city. Those on low incomes or without transport and teenagers are less able to access Haldon, despite it being on the fringe of the city. The Forum advises that the Council should explore public or community transport initiatives (that also allow transport of bicycles) to make this area, and other greenspaces within and close to the City, more accessible.

Those living with disabilities are likely to find it more difficult to access greenspace. The Forum advises that the detail for a Vision for Exeter should be innovative in the use of public transport to encourage healthy lifestyles. Public transport should encourage and facilitate use by those with disabilities, for example by having space for wheelchairs and small mobility scooters. The Office for National Statistics 2011 ward data for Exeter shows that 9,006 people had long term health problems or disabilities which limited day to day activities a lot.

The City Council is advised to work with the University of Exeter and Exeter College to discuss how students, most without cars, can be encouraged to access greenspace and what innovative projects and sustainable transport solutions might assist.

Yours faithfully



Hilary Winter  
Forum Officer

*Letter sent on behalf of Devon Countryside Access Forum*

*Chair: Sarah Slade Vice Chair: Chris Cole*





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## Protected Landscapes Review

The Devon Countryside Access Forum is a statutory local access forum under the Countryside and Rights of Way Act 2000. Its remit is to provide independent advice “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...” Its geographical area of coverage is Devon, with the exception of the Unitary Authority areas and National Parks which have their own forums.

The DCAF currently has fifteen members, appointed by Devon County Council, who represent the interests of access users, landowners/managers and other areas of expertise such as health and conservation.

This response will be on the agenda of the next Devon Countryside Access Forum meeting on 24 January 2019 for formal approval.

Comments have been confined to the question relating to access and recreation as this area of concern falls within the statutory remit of the Forum.

### **What views do you have about the role National Parks and AONBs play in supporting and managing access and recreation?**

#### ***The importance of Protected Landscapes***

Devon benefits from five AONBs (the Blackdown Hills, East Devon, South Devon, North Devon Coast and Tamar Valley) and two National Parks (Dartmoor and Exmoor). The Blackdown Hills AONB, Tamar Valley AONB and Exmoor National Park cut across highway authority boundaries. These Protected Landscapes are important for the opportunities they provide for quiet enjoyment, contemplation and reflection through use of public rights of way, trails, access land and woodland.

The intrinsic importance of the existing highway network (including public rights of way), verges and heritage features is crucial. These are also assets from which the public can appreciate the landscape and access other recreational opportunities. These assets are part of a Natural Capital approach, for example Devon is appreciated for its sunken lanes, hedgerows and verges rich in flora.

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The Protected Landscapes offer places where local residents and visitors can be encouraged to enjoy the landscape and spend money in the local economy.

Within the context of Protected Landscapes, it is important to recognise the value that designated links play in enhancing access to and through those landscapes, for example the South West Coast Path, National Cycle Network routes (such as the Devon Coast to Coast NCN 27 and South West Coast NCN 2) and recreational trails such as the Two Moors Way and East Devon Way.

## ***Management of Access and Recreation***

Access and recreation should be tailored to the aspirations for the National Parks and AONBs, within the constraints of legislation and having regard to the value of existing rights of way. The Forum would encourage:

- a) effective management of 'honeypot' sites as these can take pressure off more sensitive wildlife areas. This would include car parking provision and facilities (where appropriate) and sympathetic maintenance of the site.
- b) access that is appropriate to the landscape. Wilderness areas are valued as areas with less intense recreational pressure. The DCAF would not expect to see waymarking or hard surfaces in these areas. Many modern mobility scooters e.g. Tramper can travel easily on grass or rough ground
- c) partnership working with highway authorities, landowners and other relevant stakeholders to ensure good access links which are well-signed and consistent, particularly in areas where there are multiple categories of right of way.

## ***Sustainable access***

It is important for people to be able to reach Protected Landscapes in sustainable ways to enhance the experience and reduce the potential impact. This includes not just public and private transport initiatives but also walking, cycling, mobility scooter use, horse-riding and carriage-driving.

## ***Health and wellbeing***

The staff teams associated with the Protected Landscape areas have a key role to play in promoting activities, including organised events, which support the physical, psychological and social health of residents and visitors. They can also maximise opportunities to encourage recreational access participation by those with disabilities or health conditions; for example, supervised access for those with learning difficulties, dementia walks and improvements to mobility scooter and wheelchair access or for those with a range of sensory or other disabilities.

Staff also have a crucial role to play in supporting community involvement and engagement in their work, particularly through volunteering. This is a very successful part of their activities.

Protected Landscapes should work with partners to seek funding to promote and deliver economic and health benefits.

## ***Responsible access***

The Forum would like to see Protected Landscapes take an even stronger lead role in advising and educating the public on responsible use and enjoyment of these

landscapes, including in new and diverse ways such as digital messages through Facebook and Twitter and use of Apps.

***Areas outside the Protected Landscapes***

From a macro-perspective, the DCAF does have some concerns if these areas are valued and financed to the detriment of other surrounding areas which may be equally valued by the public for the doorstep access and recreation opportunities they provide. Other areas can deliver similar benefits but may not have the same resources.



## **Countryside and Rights of Way (CROW) Act 2000**

### **REVIEW OF STATUTORY DIRECTION(S)**

#### **SUMMARY FOR PUBLIC CONSULTATION**

Prepared by Natural England

#### **1. INFORMATION ABOUT THE PUBLIC CONSULTATION**

**Access Authority:** Devon County Council  
**Relevant Authority:** Natural England  
**Local Access Forum:** Devon Countryside Access Forum

Natural England is about to review the following direction:

<b>Land Parcel Name:</b>	<b>Direction Reference:</b>
Hemyock Common	2013036672

Your views on the current direction are sought to assist Natural England in deciding whether the restriction is still necessary for its original purpose; and if so, whether the extent and nature of the restriction is still appropriate for the original purpose.

The relevant authority may decide that no change is necessary in which case a Consultation Outcome Report will be published on the Consultation Pages of the Government's Website<sup>1</sup>.

If the relevant authority decides to vary the extent or nature of a direction or revoke it, a further round of public consultation may be necessary (see Annex 1) in which case a second Consultation Summary Report will be published.

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<sup>1</sup> [https://www.gov.uk/government/publications?publication\\_filter\\_option=consultations](https://www.gov.uk/government/publications?publication_filter_option=consultations). To access the consultation enter "Open Access" into the free text box titled "Contains" and then filter by "Natural England" in the Department drop down.

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## 2. SUMMARY OF EXISTING DIRECTION(S)

Land Parcel Name:	Direction Ref.	Dates of restriction on existing direction:	Reason for Exclusion
Hemyock Common	2013036672	Outline Direction 12 days between 1 <sup>st</sup> May to 1st October Every year until 30 <sup>th</sup> April 2019 This will only apply between 13:00 and 18:00 hours on any day, or between 11:00 and 17:00 hours as notified on the site notice	S24 Land management – Disruption to the Shoot Total Exclusion

Natural England made this long term direction on 01/05/2013.

A short summary is provided below giving the background to the direction. This should be read in conjunction with the consultation notice sent as part of this consultation. Further information is available from:

Richard Thomas  
Lead Adviser Open Access  
Mail Hub,  
Natural England,  
County Hall,  
Spetchley Road,  
Worcester  
WR5 2NP  
[Richard.Thomas@naturalengland.org.uk](mailto:Richard.Thomas@naturalengland.org.uk)

Hemyock Common is a small common to the west of the village of Hemyock on the Blackdown Hills in Devon. The common is around 8 ha's in size and a County Wildlife Site due to its dry heathland. In 2013 Natural England received an application from the landowner Hemyock Parish Council on behalf of a clay pigeon shoot run by a gun club that had been using the site for over 40 years. During this period there had been no incidents or issues. The club had been managing the site and shooting safely during this long period. The members of the shoot are fully licensed with regard to their firearms, insured and the shooting dates are certified by Devon and Cornwall Police. They supplied a risk assessment which refers to safety guidelines provided to all members and guests and also details other measures to ensure safety on the day. It was necessary for the club to continue this management and to continue management on the ground which included restricting access to the common to the single entrance point using signage and having two safety officers on the ground. Shooting stops

when a vehicle or member of the public on foot enters from this access point and continues when it is safe to resume.

The guns were shooting over the open space in the centre of the common. This area was being kept open by vegetation management carried out by the shoot specifically to keep this area safe and open. Therefore given the safe working practices detailed in the risk assessment including access management measures, and the clear unobstructed view of the area of risk, it was determined in 2013 that a restriction for public safety was not required.

We also assessed whether there was an issue with disruption to the shoot. The Secretary of State approved Relative Authority Guidance (RAG) in Criteria Set 19 states

- *Participants can be distracted from shooting (whether or not the target is moving) by the need for extra vigilance in order to prevent any risk of accidental injury to visitors. Where visitor levels are high, the frequent need to stop shooting in order to allow visitors to pass may detract significantly from their enjoyment of the sport.*
- *Signs, flags or lookouts ('stops') may be used to let visitors know when shooting is taking place and encourage considerate behaviour. These techniques are most likely to be effective where there are safe and clearly marked rights of way or other routes that people can use through or around the area affected without causing significant disruption.*

It is understood from information supplied at the site visit that up to 20 people a day can use the common, mostly local dog walkers. The shoot have generally been able to manage this use by informing people there is a shoot in progress and visitors either leave or are invited to stay to spectate the sport. However there are some local residents in the area who are not sympathetic to the continuation of the shoot and may disrupt their activities by insisting on utilising their CROW access rights. A direction to exclude people while shooting is taking place will give the shoot the power to protect their activity from significant levels of disruption and effectively manage visitors by asking them to leave if they feel that is necessary.

The RAG States:

- *If discretionary restriction powers are available and would meet the need, the relevant authority should explore their potential use with the applicant before giving a direction.*

There are limitations on the use of these s22 days limiting closures on Saturdays or Sundays to four per calendar year.

The RAG also states:

- *Exclude people from the area of danger or potential disturbance, taking account of the expected trajectory of the ammunition.*
- *Leave residual routes or areas open to the public if it is safe and practicable to do so. Remember that public rights of way will be unaffected.*

There are no public rights of way crossing the common but to prevent disruption the whole common will need to be excluded.

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- *An outline direction is likely to be the most appropriate mechanism, where the exact dates and times of shooting are not known at the time that the decision is made.*

An outline direction is the appropriate method of restricting access at this site because the exact dates and times of closures are known well in advance and can be notified at the start of every season. The closure will only be necessary for the period in a day when shooting is actually occurring, i.e. from 13.00 to 18.00, therefore leaving the common open to other users in the mornings and evenings.

This is the least restrictive option available given the need to prevent disruption to the legitimate shooting activities.

The AONB service and the Devon Countryside Access Forum both attended a site visit and wrote letters to Natural England following the visit. They both supported the activities of the shoot, referencing the long historical use and permission from the parish council as landowners. They also both recognised and supported the needs of users to access the common, but felt that as the applied for days were only closing the common while shooting was in progress, this was the least restrictive option allowing access to the common on the remaining parts of the closed shoot days.

The Parish Council has notified dates every year since the start of the direction so we understand the shooting is still occurring.

Furthermore in 2018 initial discussions with the applicant and landowner, Hemyock Parish Council suggest that nothing has fundamentally changed with the shoot, or the management or use of the site. If this turns out to be the case following this initial consultation then it is proposed that Natural England will not require a second consultation as no details of the direction will have changed, and we will merely extend the direction for a further 6 years and publish a Consultation Outcome Report.

### **3. SUBMITTING COMMENTS ON THE REVIEW**

If you wish to comment on the review of this direction then you must do so before 8<sup>th</sup> February 2019 directly to Richard Thomas, at the above address. A map accompanies this notice and is attached and can be seen on the [Consultation Pages](#) of the Government's Website<sup>2</sup>.

### **Using and sharing your consultation responses**

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<sup>2</sup> [https://www.gov.uk/government/publications?publication\\_filter\\_option=consultations](https://www.gov.uk/government/publications?publication_filter_option=consultations). To access the consultation enter "Open Access" into the free text box titled "Contains" and then filter by "Natural England" in the Department drop down.



In line with Natural England's [Personal Information Charter](#), any comments you make, and any information you send in support of them, will help us to determine the application and / or determine if the restriction is still necessary in relation to the review or reassessment of a current direction.

We may wish to pass such comments or information to others in connection with our duties and powers under the open access legislation. This may mean for example passing information, including your name and contact details, to the Secretary of State or their appointees, the Planning Inspectorate or to the relevant access authority(s).

We will summarise all responses and place this summary on [the Government's consultation website](#). This summary will include a list of names of organisations that responded but not the names, addresses or other contact details of individual respondents.

There may also be circumstances in which we will be required to disclose your response to third parties, either as part of the statutory process for consideration of representations and objections about our decision, or in order to comply with our wider obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please explain clearly why you regard the information you have provided as confidential. However, we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not be regarded as binding on Natural England.

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## Annex 1

In accordance with statutory guidance, the relevant authority has a duty to:

- review directions of a long-term character no later than their fifth anniversary; and
- revoke or vary directions where necessary.

Under CROW section 27(3) the relevant authority must review, at least every five years, any direction it has given that restricts access indefinitely; for part of every year; for part of each of six or more consecutive calendar years; or for a specified period of more than five years.

During the review the relevant authority must, having regard to the interest of the public in having access to the land, consider whether the restriction is still necessary for its original purpose; and if so, whether the extent and nature of the restriction is still appropriate for the original purpose.

Before reviewing a long-term direction the relevant authority must consult:

- the local access forum;
- the applicant or his successor in title, where reasonably practicable – for directions under section 24 or 25 made on application; or
- the relevant advisory body – for a direction made under section 26.

The authority must also publish a notice on a website (and send a copy to statutory consultees) that must explain that the authority proposes to review the direction in question; where documents relating to the review may be inspected and copies obtained; and that representations in writing with regard to the review may be made by any person to the authority by a date specified in the notice.

Once consultation is complete the relevant authority should have regard to any representations it receives before making a decision.

If following the consultation, the Relevant Authority decides to:

- leave the original direction unchanged, the relevant authority should record the date that the decision was made and should schedule a subsequent review where necessary.

If following the consultation, the Relevant Authority decides to:

- vary the extent or nature of a direction, the relevant authority must give a new direction under the same section that was used to give the original direction. If the new direction is long-term, it must be reviewed within five years of the date it is given;

- revoke a direction, we will record the date that the decision was made.

Before varying or revoking a direction the relevant authority must: consult the original applicant or his successor in title, where reasonably practicable – for directions given under section 24 or 25 on an application; or consult the relevant advisory body – for directions given under section 26. In either case, follow the consultation procedures set out in the Relevant Authority Guidance but only if it proposes to give a new direction that would restrict access indefinitely or for more than six months continuously.



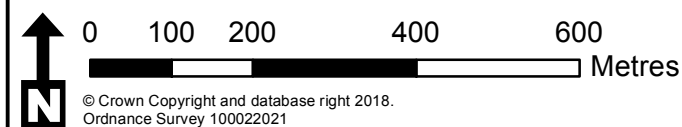
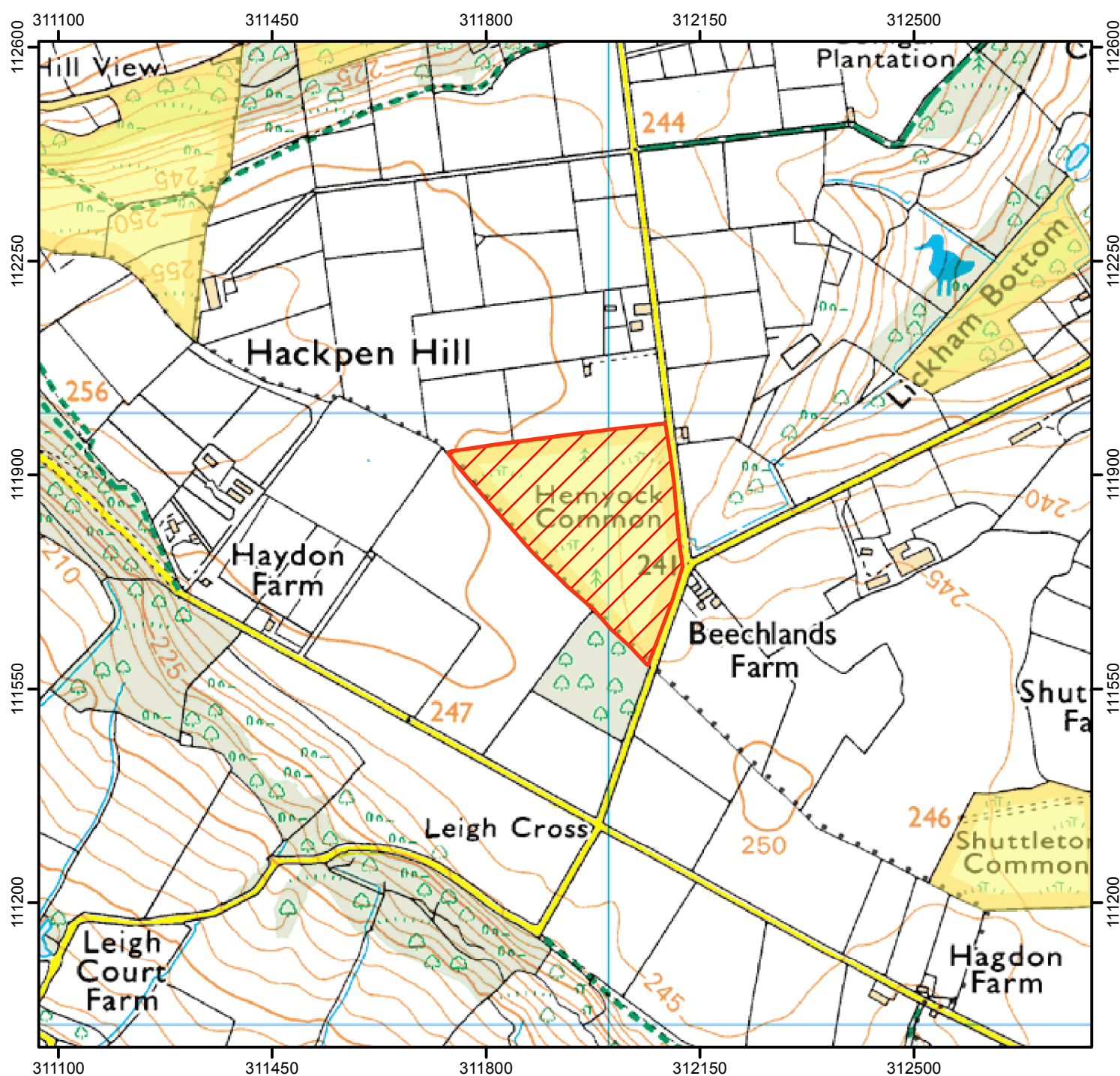
# CROW OPEN ACCESS:

Consultation on review of restriction  
Please see accompanying notice  
(This does not affect public rights of way)

Consultation Start Date 14th December 2018

Consultation End Date 08th February 2019

Case Number: 2013036672



Restricted Open Access Land



Open Access Land







# **FIRE BEACON HILL LOCAL NATURE RESERVE**

**Public review and consultation on current  
management and future options**

## **Information Leaflet**



# Agenda Item 13.2

## FIRE BEACON HILL LOCAL NATURE RESERVE

Grid Reference: SY 112 908

### Introduction

Fire Beacon Hill Local Nature Reserve (c26 ha) is c3km north of Sidmouth town centre at the southernmost end of East Hill and in the parish of Sidmouth. This area of lowland heath, scrub and secondary woodland was designated as a Local Nature Reserve (LNR) in 1992. All the LNR is designated Common Land. It is within the East Devon Area of Outstanding Natural Beauty and is also a County Wildlife Site.

The northern part of this triangular site is 225m above sea level and is relatively flat but the ground slopes steeply to the south down to 150m. It is bounded to the west and north west by a conifer plantation (Fire Beacon Plantation, owned by the Forestry Commission), to the east and north east by deciduous woodland (Core Hill Wood, owned by the Woodland Trust) and to the south by private farmland.

The reserve is made up of 26.39 ha of dry acidic, lowland heath; acidic grassland and bracken with secondary woodland.

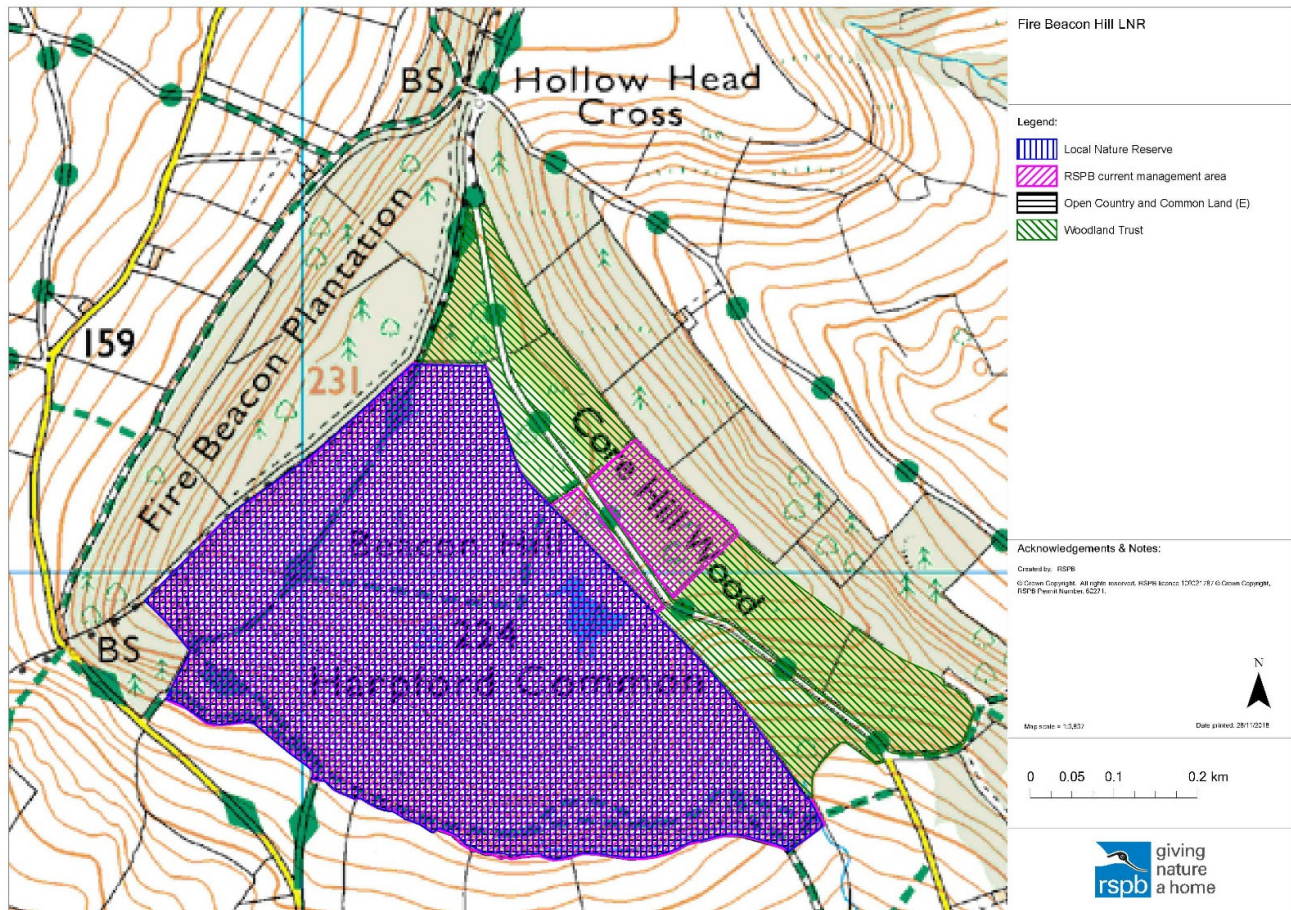
The high and open ground of Fire Beacon Hill LNR, a remnant of once much more extensive areas of open habitats along the East Hill Strip, is prominent in the local landscape. It is a valued site for public access and informal recreation as well as important for nature. Birds breeding on the site include nightjar (a heathland specialist), yellowhammer and linnet. Mammals include dormice in the scrub and woodland areas.

The LNR is owned by Sidmouth Town Council and is managed on the Council's behalf by the Royal Society for the Protection of Birds (RSPB). RSPB also manages an area of heathland within Core Hill Wood. The RSPB has managed the LNR since 1994. Initially management included manual removal of some scrub and trees to restore open habitats – a very labour intensive procedure. Current management includes seasonal grazing on parts of the LNR by cattle that are contained by temporary electric fencing. This grazing restores and retains the open heathland and other open habitats, together with some scrub and woodland. Without such management, the site would be rapidly colonised by bracken, dense scrub and trees, leading to the eventual loss of open heath and grassland and associated wildlife, and making it difficult for people to use the site.

There are two public footpaths, including the East Devon Way walking route, and one public bridleway running through the LNR which is also registered common land.

The Site as a whole is regularly used by walkers, dog-walkers, naturalists, horse-riders, mountain-bike riders and people enjoying the magnificent views over Sidmouth and to the west. East Devon District Council Countryside Service hold educational visits to the Reserve and has produced an audio guide, in partnership with Natural England and Sidmouth Town Council.





## Timeline of RSPB management at Fire Beacon Hill LNR

1994	RSPB first worked with East Devon District Council and Sidmouth Town Council. Early management was removal of much encroaching sycamore from the southern slope.
1997	Fire Beacon Hill LNR entered into a Countryside Stewardship scheme which enabled ongoing management of the nature reserve, including scrub and bracken control and bare ground creation.
2008	Assisted by RSPB, Sidmouth Town Council successfully applied for a Higher Level Stewardship (HLS) agreement that enabled native breeds to be grazed on the nature reserve from 2010.
2010	First grazing of Fire Beacon Hill under RSPB management. Grazing has continued since then annually on the site, with traditional breeds of ponies (Exmoor and Dartmoor) and cattle (Galloways and North Devons).
2018	End of the HLS agreement. Sidmouth Town Council applies for the new Countryside Stewardship higher tier scheme.
End 2018	Start of public review and consultation on future management options for Fire Beacon Hill LNR.

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## **A possible vision for the future of Fire Beacon Hill?**

Fire Beacon Hill falls within the Blackdowns National Character Area (Natural England 2014). One of the objectives relevant to Fire Beacon Hill is to “*Protect and manage the open, exposed character of the ridgetop plateaux and the associated rich cultural heritage. Plan for the restoration and extension of semi-natural habitats and promote and create opportunities to enhance public understanding and enjoyment, for example by . . .*

- *Encouraging management and re-creation of the heathland commons and restoration of more prominent conifer plantations to semi-natural habitats,. . .*”

The RSPB is keen that future management at Fire Beacon Hill contributes further towards this objective.

## **Consultation – we’d like to know what you think**

After nearly 25 years of RSPB management of this important area, it is time to review the current situation and to think about possible options for the future. These options could include:

- continuing with the current management on Fire Beacon Hill LNR?
- changing the management on Fire Beacon Hill LNR in some way (eg to graze over more of the site)?
- finding out if our neighbours WT and FC are interested in any coordinated management approach and better linkages between the sites that could see more integration of habitats, eg, restoration of more heathland and open ground habitats via not re-planting more conifers as existing ones are felled, protecting existing veteran broadleaved trees and consideration of ‘wood pasture’ grazing management?

An important first step in any possible change is to find out what users of Fire Beacon Hill LNR and the adjacent land think so we are holding events on 4, 12 and 13 December.

We’d like to know what you value about Fire Beacon Hill LNR, how you use the site, what you think of the current habitats and management and what you would like to happen in future so please complete the questionnaire at these events or e-mail [FBHconsultation@rspb.org.uk](mailto:FBHconsultation@rspb.org.uk) to have one sent to you.

**Please send us your views and comments to [FBHconsultation@rspb.org.uk](mailto:FBHconsultation@rspb.org.uk) by 9 February 2019.**

Once we know what people think, we can consider how we can make any changes that would benefit nature and people and then propose some options for public consultation in spring 2019.

## **Next steps**

By the end of February 2019, we’ll have reviewed and summarised all the comments received. We’ll use these to inform our proposals for future management and publicise these for further consultation in spring 2019.

The owner and managers of Fire Beacon Hill will give serious consideration to any views and opinions expressed by the consultees before making final decisions on the way forward. Any changes that require an application for Common Land consent will obviously be preceded by public consultation.

## Background information

### Looking into the past – the history of Fire Beacon Hill

The prominence of the Local Nature Reserve overlooking Sidmouth and the coastal region to the west makes it likely that it had ancient significance. There are records of prehistoric burial mounds on or in the vicinity of the Reserve but their precise location is unknown.

As the name suggests, Fire Beacon Hill was used as a lookout and beacon, possibly from the 11<sup>th</sup> century, and formed part of the national chain of beacons which warned of the approach of the Spanish Armada in 1588. In the nineteenth century the remains of an ancient beacon at the end of the ridge were still visible. Today all traces of the beacon have disappeared but it is thought to have been similar in structure to that which can still be seen at Culmstock.

There is some difficulty in tracing the precise history of the Reserve due to it being included within the description of Harpford Common. However it would appear that it originally formed part of the lands of the Manor of Harpford. The Manor was in the possession of Otterton Priory until 1011 when it passed to the Dinham family who held it until the Tudor period. The Manor subsequently passed to the Rolle family, the present day owners of Clinton Devon Estates.

By the time of the preparation of the Tithe Map of 1839, the area known as Beacon Hill was recorded in the Tithe Apportionments as being Common in the ownership of the Landowners of Harpford. In 1932, after parish boundary reorganisation, the Reserve was transferred from Harpford Parish to the Urban District of Sidmouth and after further reorganisation was transferred in 1980 to the current owners, Sidmouth Town Council.

The Reserve has been common land for many centuries. A survey of Lord Dinham's lands in 1566 refers to his tenants having rights of pasture (ie to graze their livestock) and pannage (allowing pigs or other livestock into a woodland to feed on fallen acorns and other tree seeds). By the eighteenth century there is also reference to rights of turbary (to cut turf for fuel). These traditional uses, which included grazing, burning and the removal of turves, bracken and scrub for fuel and animal bedding prevented woodland from re-establishing and the continual removal of nutrients from the system maintained the poor soils and open heathland vegetation.

There has been much legislation relating to common land over the centuries and this was consolidated with the Commons Registration Act 1965 and the creation of Commons Registers. The Reserve was included in Devon County Council's Register under unit CL213 and no rights over this common land were registered.

The Common Land at Fire Beacon Hill appears on the Commons Register (1965) as Harpford Common with Mutter's Moor under registration no.CL213. No commons rights or commoners are registered. Under the Countryside and Rights of Way Act 2000 (CROW Act) the public has a legal right of access to and over Common Land.

The adjacent land owned by FC and the WT is not registered Common Land. Core Hill Wood is open access land (Countryside and Rights of Way Act 2000). Core Hill Road, an ancient routeway from Sidmouth to Honiton, runs through the WT land.

Fire Beacon Hill enjoys stupendous views over Sidmouth and the coast which have long attracted visitors. In 1810 the Rev Butcher referred to there being a 'fine panorama' and John Taylor Coleridge, the half brother of the poet Samuel Taylor Coleridge, wrote of his walks with John Keble, *"There, on the short green turf we often rested and enjoyed a view which for beauty, variety and extent is not easily to be surpassed. Down deep on the left lay Sidmouth and the blue sea"*.



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Administrative boundaries have changed many times over the centuries. The western boundary of the reserve is believed to be part of an Anglo-Saxon land boundary and today remains the boundary between the parishes of Ottery St Mary and Sidmouth. The eastern boundary of the land owned by the WT also includes an ancient parish boundary which today separates the areas of Sidmouth parish known as Sidmouth North and Sidford Village.



## **What lies beneath – the geology of Fire Beacon Hill**

Fire Beacon Hill is part of the East Devon dissected plateau, comprising calcareous Upper Greensand capped by clay-with-flints and chert (in part Eocene) and overlying Keuper Marls.

Fire Beacon Hill shows on the 1:50,000 geological map <sup>(1)</sup> as the southern end of East Hill, the westerly ridge of a dissected plateau, stretching north towards Honiton. Separated by a steep sided valley which now contains the A3052, the ridge continues through Mutter's Moor to the sea, where the underlying rocks are exposed in the cliffs.

Beneath the ridge and underlying the valleys of the Otter and the Sid, are the Middle Triassic (Ladinian) Sidmouth Mudstones, deposited in a semi-desert environment. These were tilted and faulted then eroded before the rocks which now create the ridge were deposited on top. The Early Cretaceous (Albian) Upper Greensand Formation, sitting unconformably on the Triassic red sands and mudstones, is a sequence of calcareous and glauconitic sands with varying amounts of tabular and nodular chert. It is divided into three members, but these are not distinguished on the 1:50,000 map. The Greensand is interpreted as near-shore or shallow marine deposits <sup>(2)</sup> and represents the Chalk sea encroaching from the East, which would eventually cover the whole area. Where the Greensand sits on clay-rich mudstones landslips are common, and this is recorded on the southern slope of the Reserve. The top of the Greensand is a deeply eroded, karstic Tertiary erosion surface <sup>(3)</sup>, with the Greensand decalcified to varying depths below. On this surface the Clay-with-flints is mapped as capping the ridge. The Clay-with-flints is a complex deposit, which

has been subject to various interpretations. Gallois (2009) <sup>(4)</sup> divides it into two: the undisturbed red-brown clay with up to 50% cobbles of flint and chert, which are unweathered at least in the lower layers, which is labelled Clay-with-flints *sensu stricto* and is interpreted as the remains of *in situ* solution of layers of Middle and Upper Chalk as well as part of the Greensand itself, caused by tropical weathering during the Paleocene Eocene Thermal Maximum, leaving behind only the insoluble clays and flints. This date is applied because coastal sections of the Clay-with-flints ss are affected by Miocene faulting. But this pristine deposit is seldom found, and much of the material mapped as Clay-with-flints contains sand and quartzitic pebbles which are probably the remains of later Tertiary deposits, reworked during the extreme cryoturbation and ongoing solution caused by periglacial conditions during the Pleistocene. This mixed deposit is named as Clay-with-flints *sensu lato* and similar materials form the extensive Ice Age Head deposits (unbedded reddish-brown gravelly clays) which mantle the steep slopes on the lower parts of the East Hill ridge, obscuring the Sidmouth Mudstones below.

Pleistocene	Head Clay-with-flints <i>sensu lato</i>	2.6 MY - present
Miocene		23-5.3 MY
Eocene	Clay-with-flints <i>sensu stricto</i>	56 – 33.9 MY
Palaeocene		65.5 – 56 MY
Cretaceous	Upper Middle Early Chalk Upper Greensand	145.5 – 65.5 MY
Triassic	Middle Sidmouth Mudstone	251-199 MY

## References:

- (1) British Geological Survey (2004) England and Wales Sheet 326 "Sidmouth" Solid and drift
- (2) Durrance, E M and Laming, J D C (1982) "The Geology of Devon" University of Exeter
- (3) Edwards, R A and Gallois, R W (2004) "Geology of the Sidmouth District" NERC
- (4) Gallois, R W (2009) "The Origin of the Clay-with-flints: the missing link" Geoscience in South-West England, 12, 153-161.

## Lowland heathland – what is it and why is it important?

Heathland is a well-known habitat type in the lowlands of the UK. It occurs on acidic, impoverished, dry sandy or wet peaty soils, and is characterised by the presence of a range of dwarf-shrubs. These include various types of heather and gorse, as well as bilberry.

Heathland is home to numerous highly specialised plants and animals. It is particularly important for reptiles, especially large lowland heathland blocks in southern England. The more widespread of these reptile species, adder, common lizard, grass snake and slowworm are present at Fire Beacon Hill LNR. A number of scarce birds use lowland heathland as their primary habitat, such as the nightjar and Dartford warbler, both these species breed at Fire Beacon Hill. Many scarce and threatened invertebrates and plants are found on lowland heathland.

Heathland also has high intrinsic appeal and provides a special sense of wilderness.

Lowland heathland is a priority for nature conservation because it is a rare and threatened habitat. It declined greatly in extent during the last two centuries. Devon has one fifth of the lowland heathland left in SW England, with c4,000 ha. The UK lost 84% of its once extensive lowland heathland areas while in England it is

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estimated that only one sixth of the heathland present in 1800 remains. In east Devon, heathland extent declined by 60%.

So where has it all gone? Land use change to forestry, enclosed farmland, mineral extraction, built development including roads, houses and industrial estates has all destroyed massive areas of lowland heathland in southern England.

Despite legislative protection for much of the remaining heathland, it still faces major pressures. Among these is decline in traditional management or no management which presents a real threat of loss of the special heathland plants while habitat fragmentation has caused a decline in many species' range and abundance.



## **Background to heathland management**

Heathlands are open, heather-covered landscapes on poor, acid soils, maintained through the constant activities of people and their farm animals. In the absence of management, most heathland will rapidly revert to bracken, scrub and trees, and eventually will disappear under woodland.

Since medieval times, heaths have been used by local communities for grazing their animals, usually combined with burning to create fresh growth for spring grazing; for collecting bracken for animal bedding; cutting turves, small timber and gorse for fuel; lopping larger timber; digging sand and flint for tracks; and cutting the heather for thatching and other uses. These activities, which for centuries kept the heathlands open, have now largely ceased. It was this multiplicity of uses, often random, sporadic and uncoordinated, that created and maintained a mosaic of vegetation structures and ages which was so good for wildlife.

The collection of sand and flints by hand created small bare areas in which solitary bees and wasps could dig their burrows and lay their eggs, gorse cutting to fuel bread ovens resulted in a continual source of dense young re-growth for feeding and nesting birds such as linnets, stonechats and yellowhammers.

But above all it was the management of the heather communities by cutting, burning and grazing that perpetuated the plant and animal communities of the extensive dry heaths. This process provided the right conditions for the associated and characteristic plants and animals of pioneer, building, mature and degenerate heath. These heathland communities were further modified by the effects of grazing animals that created the right niches for the enormous diversity of heathland organisms by their grazing and trampling. These activities created habitats that met the specialised requirements of heathland invertebrates, reptiles and birds for feeding, reproducing and finding shelter and protection from predators. They also helped maintain the balance between heather domination and the encroachment of trees and scrub or the invasion of grasses.

The modern heathland manager must replicate the variety of past managements to maintain the diversity of habitats to cater for the needs of the specialised flora and fauna. However, today the heaths are now widely used for recreation by people, often with dogs, leading to disturbance to ground nesting birds, particularly nightjar, erosion and compaction of soils, soil enrichment from dog waste and conflicts between different users.

A further modern complication is enrichment of the impoverished heathland soils from atmospheric nitrogen. Enrichment causes deterioration in the heather communities from drought and frost damage, insect attack and premature aging, resulting in the invasion of grasses and loss of heather communities. It can also encourage tree and scrub encroachment and the spread of bracken.

## **Management techniques**

In order to replicate past management the heathland manager has a limited range of options, including physical removal of trees and scrub, burning, cutting and grazing.

## **Scrub control**

Physical removal of trees and scrub is a continual but relatively uncomplicated process. Deciduous species grow back unless the stumps are treated with a suitable chemical. Scrub re-growth can also be reduced by grazing.

## **Burning and cutting**

Burning and cutting can reduce the accumulated nutrient load by some 25-35% and are relatively easy to do. Both techniques however leave behind a uniform habitat with little or no structural variety, generate an even-aged area of recovering vegetation, and are one-off processes that can be repeated on the same ground effectively only after a substantial number of years. If carried out sensitively and on a relatively small scale, both cutting and burning can create large scale variety and diversity in the age and structure of the vegetation, and can also provide areas that act as firebreaks in the event of wild fires.

In East Devon we are allowed to burn/swale the heath up until the end of March. It is often quite difficult to find the correct weather window to allow burning, in recent years we have only managed to burn a relatively small areas on the north east side of Fire Beacon Hill.

## **Grazing**

Under the terms of the Higher Level Stewardship agreement Sidmouth Town Council has been grazing with cattle suitable for the conditions, to suppress scrub and grasses during the main growing season. Stocking densities are in the region of six animals for the grazing period which is generally May to November, and are adjusted dependant on the season and type of stock.

Grazing is a sustainable, low-input, traditional method of management creating small-scale vegetation mosaics and microhabitats for plants and invertebrates. This is essential for maintaining the richness and diversity of heathlands. Grazing would also



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help to control invasive species such as birch and purple moor grass. Cattle trampling can help control bracken by breaking up the litter and damaging young fronds, especially following mechanical management.

Native breeds are well adapted to grazing semi-natural vegetation on difficult terrain. Generally traditional breeds of cattle are docile and well suited to cope with poor forage. Exmoor ponies can also live on rough vegetation, generally ignore dogs and people, and eat very little heather.



We currently graze in six electric fence loops and these fences are put up, moved around and then taken down at the end of autumn. The total grazing area at the moment is approximately 10 hectares, this includes some of the Woodland Trust land in Core Hill. Over the eight or so years of recent grazing of the site we have used a variety of breeds, Galloways, North Devons, Welsh Blacks and both local breeds of native ponies, Exmoor and Dartmoors.

Grazing had the added advantage of producing a saleable product – local and sustainably produced meat from the cattle!

## **Bracken management**

Bracken was once harvested for animal bedding but now has no commercial uses. Bracken can quickly become overly dominant on a site and management is necessary to prevent it spreading and out-competing less vigorous species. Since the RSPB's first involvement on the site in 1994, we have adopted an integrated approach to bracken control, here on Fire Beacon Hill we have deployed all the tools from the box. The aim is not to eradicate this plant but to prevent its total dominance over the site. In recent years, with the additional licencing of Asulox (the chemical appropriate for bracken control) we have used our cut and collect system along with mechanical rolling to control the spread of bracken and to reduce its vigour. It is hoped that now the plants' rhizomes are stressed sufficiently we can apply an herbicide in the next few years.





## **Woodland management**

Coppicing is the cutting down to ground level of broad-leaved tree species; multiple stems then grow from the `stool' created at the base of the trunk. Coppiced trees can be re-cut over cycles of 10-30 years, often depending on the species involved and if there are any commercial or other uses for the cut material.

Active coppice management has been re-established in the woodland glade in the south eastern corner of Fire Beacon Hill. Here hazel, birch and willow have been coppiced over the past 8-10 years, and this has been followed up with additional thinning, edge scalloping and the introduction of grazing in the glade.

We have also removed invasive non-native species from the woodland edge including laurel and rhododendron.

## **Wood pasture**

Wood pasture, which is not part of current management at Fire Beacon Hill, is defined as a mosaic habitat valued for individual park-like trees particularly veteran and ancient, and the fauna, flora and fungi it supports, including a number of species that only occur in wood pasture and parkland. Grazing animals are fundamental to the habitats existence and many sites are also important historic landscapes.

Key features of wood pasture are:

- Ancient/veteran trees – some of the oldest living organisms in the UK, mostly open crowned and hollowing.
- Grazing animals – the dung contributes to invertebrate and fungal diversity; while grazing controls young trees and shrubs, maintaining a semi-open habitat.
- Microhabitats – large diameter hollows in trees, other decaying wood, rot holes, ageing bark and fallen but regenerating trees; these support a wide range of specialised (including saproxylic) invertebrates, lichen and fungi.

Nectar sources for invertebrates.

- Open grassland or heathland ground vegetation.

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- Continuity – long-lived individual trees and management.

Wood pasture is a diverse habitat supporting rich communities of species, including fungi, hole-nesting species of birds such as woodpeckers, and invertebrates including some rare beetles and butterflies that need the shelter and structure of lightly-grazed 'open' wooded areas.

Wood pasture is a habitat that probably dates back to the original wildwood or to Neolithic livestock keepers. In 1086 wood pasture commons appear to be the predominant woodland type (Rackham, 2006). It often resulted in widely-spaced pollarded trees with animals grazing the open areas, including areas of heathland and grassland, between.

One possible option for any extended management at Fire Beacon Hill LNR that RSPB is keen to explore is to extend grazing management over the whole site and possibly link with the adjacent land, including consideration of grazing over more of the Woodland Trust's Core Hill Wood (an area of which is already grazed by RSPB). As well as being the best means of continuing to manage the existing heathland and other open habitats on the LNR, introducing a 'wood pasture' system, including possibly on adjacent land, could have other benefits, for nature and for people.

## **Wildlife at Fire Beacon Hill**

**Birds** Many of the heathland specialist species found on other and larger open heathland sites in southern England are present at Fire Beacon Hill. Key birds include Dartford warblers, stonechats, yellowhammers, linnets, with the elusive nightjar appearing late in the spring. Most of these nest in gorse and other scrub while the nightjar nests on the ground. The woodland edge and surrounding farmland support dunnoek, bullfinch, wren, blackbird, robin, tits, thrushes, and tawny owl – and some of these also use the open heathland.

**Reptiles** We've recorded four reptile species in our site monitoring: common lizard, slowworm, adder and grass snake.

**Invertebrates** We have recently established a butterfly transect route and are starting to carry out some other insect monitoring. Notable butterflies include grayling and small heath butterflies, both are lovers of sunny, open habitats.

**Mammals** We monitor dormice monthly, as part of a national recording scheme, with over fifty dormice boxes being along the southern edge of the nature reserve and in the Woodland Trust site reserve. Good numbers breed in the woodland edge. Over the years we have recorded several species of bats including, Natterers, lesser horseshoe, grey long eared, two types of pipistrelle and babastelle. Bark crevices and holes in the older trees around the boundaries of Fire Beacon Hill will be roost sites for some of these. There are also several active badger setts on the southern slope.

## **Plants**

The heathland species include ling and bell heather plus cross-leaved heath in the wetter areas, and common or European gorse and western gorse. Unusually for east Devon, bilberry is also present. The willow carr woodland at the bottom of the southern slope is of local interest.