



Devon Countryside Access Forum
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Fifty-Third meeting **Devon Countryside Access Forum**

Cheriton Room, Devon Rural Hub, Amory Building, Cheriton Bishop,
EX6 6JH

Thursday, 25 April 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. Membership
3. Welcome to new members
4. Declaration of interests
5. Election of Chair and Vice Chair
6. Minutes of the meeting held on 24 January 2019 (Pages 1 - 10)
7. Matters arising
 - 7.1 Planning Position Statement (9. 24.01.19)
 - 7.2 Greenspace Position Statement (11. 24.01.19)
 - 7.3 Local Nature Partnership (15. 24.01.19)

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

8. Public Questions
9. Correspondence log (Pages 11 - 14)
10. Meetings attended by DCAF members
 - 10.1 Marine Management Organisation workshop
 - 10.2 East Devon Pebblebed Heaths - car parking strategy (Pages 15 - 16)
11. Minutes of the Public Rights of Way Committee meeting held on 4 March 2019 (Pages 17 - 20)
12. Public rights of way update
13. Presentation by John Baker, Public Rights of Way Warden, Devon County Council
14. Responses to consultations and any feedback
 - 14.1 Highway Code (Pages 21 - 24)

To note and approve response, and note reply from the Department of Transport.
 - 14.2 Hemyock Common - Review of Direction to restrict access (Pages 25 - 34)

To note and approve response, and note accompanying decision papers from Natural England.
 - 14.3 Fire Beacon Hill (Pages 35 - 36)

To note and approve response.
 - 14.4 Marine Management Organisation SW Plan (Pages 37 - 38)

To note and approve response.
 - 14.5 East Devon Forest Plan (Pages 39 - 40)

To note and approve response.
 - 14.6 The Cranbrook Plan 2013-2031 - Development Plan Document (Pages 41 - 44)

To note and approve response.

15. Current consultations
16. Work Plan 2019-2020 (Pages 45 - 46)
17. Annual Report
To approve draft.
18. Training day
19. Any other business
20. Date of next meeting

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



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Minutes of the Fifty-Second meeting
of the Devon Countryside Access Forum
held at The Kenn Centre, Exeter Road, Kennford, Exeter EX6 7UE
Thursday, 24 January 2019

Attendance

Forum members

Andrew Baker
Sean Comber
Jo Hooper
Linda Lee
Charlie Lloyd

Sue Pudduck
Councillor Philip Sanders
Sarah Slade (Chair)
Maggie Watson

Devon County Council Officers and others present

Helen Clayton, Senior Officer, Public Rights of Way, DCC
Ros Mills, Public Rights of Way Manager, DCC
Richard Walton, South West Coast Path National Trail Officer
Hilary Winter, Forum Officer

1. Apologies

Apologies were received from Simon Clist, Chris Cole, Sean Comber, John Daw, Gordon Guest and Sophie Pritchard.

2. Declaration of interests

No interests were declared.

3. Minutes of the meeting held on 9 October 2018

Minutes of the previous meeting, held on 9 October, were agreed and signed.

4. Matters arising

4.1 Exe Estuary Partnership Dog Walking Code (4.1 09.10.18)

An email had been received from the Exe Estuary Officer thanking the DCAF for its feedback and guidance on the Dog Walking Code. The Officer had taken on board the DCAF's useful suggestions for further distribution of the code.

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It was confirmed there were no current links between the Exe Estuary Management Partnership and the Forestry Commission and any contact names would be appreciated.

The Exe Estuary Officer said that signing to dog available areas is being looked into by the Devon Loves Dogs project and she will ensure the importance of this is highlighted. It was not included in detail in the signage review.

The signage review had been completed and will guide signage updating by a variety of organisations. It was not possible to achieve common themed signage due to the range of organisations involved, although the DCAF suggestion was appreciated.

4.2 Coastal access progress reports (16. 09.10.18)

An email from the Lead Adviser (Coastal Access – Devon, Cornwall and Exmoor), Natural England, was brought to the meeting.

The Cremyll to Kingswear report will be published this summer (and not in the spring as previously noted).

Natural England had not received any specific concerns to date about roll-back provisions, although there are issues being raised by landowners relating to both the route itself and the coastal margin. In terms of the estuaries, Natural England had identified an Alternative Route for the Yealm Estuary, mostly using existing public rights of way and highways, and discussions are ongoing as to how the ferry service on the Avon Estuary could be improved.

5. Public questions

5.1 Highway Code

Members agreed to write to the Department of Transport to support the inclusion of horse riders as vulnerable users in the forthcoming review of the Highway Code. It was suggested and agreed that carriage drivers should be included.

Action: Forum Officer to circulate draft to members.

6. Correspondence log

Attention was drawn to item 8 on the Correspondence Log. The Marine Management Organisation had arranged workshops to facilitate responses to iteration 3 of the south west marine planning area. Much of the plan was peripheral to the DCAF's remit but access elements were included in the 'Social' theme of the plan. Sue Pudduck expressed interest in attending and would feedback to members to allow a response by close of the engagement period on 29 March 2019.

Action: Forum Officer to forward workshop details to Sue Pudduck.

7. Reports from meetings attended by DCAF members

7.1 Regional Local Access Forum 2026 Training Day

Chris Cole, Councillor Tony Inch, Sue Pudduck and Hilary Winter had attended the event led by Phil Wadey and Sarah Bucks.

Sue Pudduck reported that it had been a very interesting day. Workshop leaders recommended research to ensure paths were recorded on the Definitive Map. Examples of case studies, use of different historical documents and the value of evidence sharing were included.

Helen Clayton, Senior Officer, Public Rights of Way explained that there was a duty for surveying authorities to keep the map under continuous review. Most authorities relied on applications being made. Devon County Council is more proactive and carries out the review on a parish by parish basis looking for anomalies and investigating claims, and deals with applications as part of that process. There was now more awareness and DCC is starting to receive enquiries on claims not picked up under the review.

The National Environment and Rural Communities (NERC) Act 2006 restricted rights for motor vehicles. Applications were put in for Byways Open to All Traffic by the Trail Riders Fellowship prior to the Act, but the retrospective cut-off was 2005. Any claim would now be a restricted byway, unless it met one of several exceptions. The cut-off date of 2026 for historical claims does not affect restricted byways.

Helen Clayton stated that DCC had a target of January 2020 to finish its parish by parish review. Applications would still be picked up after that date. Parish progress was itemised on the public rights of way website.

The 2026 cut-off date is likely to include a host of saving provisions, to be set out in regulations with the implementation of the Deregulation Act 2015. Different types of evidence carry different weight. In answer to a question, it was confirmed use of the term FP on an historic map did not necessarily indicate a public right of way; historic Ordnance Survey maps show physical features on the ground, but not whether they were considered public or private.

7.2 Parish Paths Partnership annual volunteer events

Andrew Baker, Sue Pudduck and Sarah Slade had attended P3 'walk and talk' events in Shobrooke, Hope Cove and Croyde respectively. Feedback was very positive and members had viewed several interesting issues such as installation of dog friendly gates and dealing with surface maintenance. It was an opportunity for cross-parish discussions and the chance to meet dog walkers, landowners, councillors and parishioners. It was agreed the new format worked well.

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8. Minutes of the Public Rights of Way Committee meeting held on 15 November 2018

Minutes of the Public Rights of Way Committee were noted. Minutes of the DCAF meetings were on the agenda for the ProW Committee, held three times a year, and generated interest amongst councillors. The ProW Committee agenda mainly focussed on its legal role.

9. Public Rights of Way update

Ros Mills, Public Rights of Way Manager, reported on the following items:

- 1) Work for the financial year is being completed. Wardens are delivering maintenance work on the public rights of way network and cycle/multi-use trails.
- 2) Linear cracks on the Exe Estuary Trail are being investigated by the DCC Materials Laboratory. There was a rolling programme of surface improvements on the off-road cycle/multi-use network.
- 3) There will be a cut in the revenue budget for 2019/20 but an increase in capital, mainly due to additional Government money for drainage and surfacing to highways, of which public rights of way are part. Devon's tourism economy is significant and the wardens work with landowners to manage the network and ensure it is accessible for visitors and locals alike.
- 4) The Enforcement Protocol, on which the DCAF had an input, will be going to the Public Rights of Way Committee in July.

A discussion took place on a new walking/cycling bridge built near Barnstaple through the development planning process that currently had no exits to footways or public rights of way. DCC is looking into securing a permissive route to a nearby footpath. There was a fatality on the A road nearby when someone crossed from a minor road to a public right of way. Once development takes place the bridge will connect.

It was noted that many public rights of way end at A roads which were not so busy in the past. It is difficult to do improvements retrospectively. DCC has, however, a widening scheme for the North Devon Link Road and the Public Rights of Way team had persuaded the Council to include a bridge to link existing public rights of way and this would be going for planning permission.

This raised the importance of discussions at an early stage in the process and ensuring different levels of local government and DCC liaise to investigate opportunities. It was noted this would tie in with the Rights of Way Improvement Plan.

It was agreed to look at the DCAF planning position statement in the first instance to see whether it could be adapted to include road proposals.

Action: Chair and Forum Officer to review planning statement.

Helen Clayton, Senior Officer, Public Rights of Way reported on the following:

- a) The next PRow Committee would be on 4 March and five parish reviews were on the agenda.
- b) A Public Inquiry held at Ugborough in October confirmed a Definitive Map Modification Order to add a bridleway based on user evidence. This is through a recreation ground (Filham Park) owned by Ivybridge Town Council. A diversion had to be resolved as the defined route is through a cricket ground and a pond, constructed after the route had been established.
- c) P3 surveys were being undertaken.
- d) Public Rights of Way digital information is now on the digitised List of Streets with a disclaimer that the information is not the Definitive Map. This can be viewed in County Hall or by contacting Land Charges. Internally the information is useful to confirm that PRow are highways maintainable at public expense.
- e) The Pegasus Trail is progressing and new sections are planned.

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

Richard Walton, National Trail Officer for the South West Coast Path, was welcomed to the meeting. The role is now hosted by the South West Coast Path Association.

Mr Walton outlined some key facts about the SWCP.

1. The SWCP is one of 16 National Trails in England and Wales, designated under the National Parks and Access to the Countryside Act 1949, and had its origin in old coastguard paths.
2. It connects 1 National Park, 5 Areas of Outstanding Natural Beauty, 1 Biosphere, 2 World Heritage Sites, 1 Global Geopark and 10 National Nature Reserves, as well as other designated conservation sites.
3. 220 miles of the SWCP are in Devon, out of 630 miles.
4. The highest point is Great Hangman in North Devon at 1043 feet.
5. Approximately 9 million visits are made to the SWCP, excluding daily residents' use.
6. Path users expend more than £500m
7. In excess of 11,000 full-time jobs are sustained by income from walkers.

In budget terms, the SWCP requires an annual budget of £721,000 of which Natural England provides £464,000 and local authorities, the National Trust and the South West Coast Path Association provide the remainder. Day-to-day management and maintenance, carried out by local authorities and the National Trust, costs approximately £624,000. The National Trust own 1/3 of the SWCP area. It costs about £1000/mile to look after the SWCP. 5-10% of the path furniture needs to be replaced annually.

The Delivery Group which meets biannually includes the main financial stakeholders and the National Trust. Mr Walton said he is trying to achieve more engagement with a wider group of stakeholders, including the Devon Countryside Access Forum, through informal, regular contact, regular liaison, one to one meetings and newsletters. There are several Area Liaison Groups made up of volunteers, managers and rangers and these are very effective in determining work priorities and seeking additional investment.

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The South West Coast Path Association has a role in campaigning and fundraising. The path has seen a 40-50% cut in budget over the last 10 years and local funding has addressed some of this impact.

Data from 2014/15 demonstrated the most important factors when deciding where to walk were: attractive views and scenery (98%), clear signposting (88%), away from roads (86%), information panels along the route (82%), destinations and distance on signs (81%), not overgrown (81%) and stiles, gates, steps easy to use (79%). The SWCPA hopes to get up-to-date data.

The SWCPA aimed to achieve good accessibility where possible and provide useful website information on gradients and surfacing. For example, work had been done with the National Trust at Bolberry Down. Walks were branded to include day walks, circular walks and grades of difficulty. Work is undertaken with Countryside Mobility to promote and extend opportunities for trampers which can deal with gradients of 1 in 4.

Current projects include Explore South Devon, a £41,721 project including a LEADER grant of £33,376.80. This aims to promote 19 circular walks and provide better on-site information boards, supported by improved mobile and website information. The App needs improving to provide the right level of content.

An application had been made to the Rural Development Programme for England to deliver improvements at 14 sites across Devon, plus other locations, and a decision will be known shortly. This will make them easier to use all year round.

£100,000 of legacy money had been put into the capital programme and will be used to draw down other monies.

Challenges for the SWCP are coastal erosion and the impact of climate change which increases susceptibility to cliff falls. This is a big challenge and some temporary diversions are being sought. The designation of the England Coast Path, with its area-based zones and spreading room, will help with realignment associated with coastal erosion.

The England Coast Path and the SWCP will co-exist. There may be some examples where there are slightly different routes such as in Plymouth where the England Coast Path will use the ferry route. None are known of in the Devon local authority area. This may mean some funding issues. The SWCP branding is likely to be retained with some element of dual branding.

Questions were raised by Forum members in the following areas.

- 1) Can Apps assist in the provision of information, for example location of toilets?

Mr Walton said a lot of work was taking place with parish and community groups, focussed around information provision. There was the opportunity through the SWCPA to get funding and seek improvement of toilets.

Generally, the SWCPA was branching out in terms of its funding requests and looking also at social mobility. The SWCPA was involved in Connecting

Actively to Nature (over 55s) and well as educational provision and working with primary schools.

- 2) Could website improvements include accessible toilets, transport links and parking information?

Mr Walton said that constant review and improvement is needed on the website. A lot of information was embedded and not necessarily easy to draw out.

- 3) No mention had been made of health reasons as an opportunity for funding?

Mr Walton cited Connecting Actively to Nature as an example. The local authorities had added public health responsibilities and active lifestyles are key factors to link in.

- 4) Would the Acorn brand continue?

Mr Walton confirmed the Acorn was the branding for the National Trails and this would be the same for the England Coast Path. There may be some subtle local branding for the SWCP.

- 5) What are you looking for from the DCAF?

Mr Walton stated that he would appreciate regular dialogue and direct sharing of information. He is trying to work out what works best and the synergies.

Mr Walton was asked to feed back to the Forum Officer with progress on ideas. It was agreed it would be helpful if the DCAF was included as a key partner to invite to any workshops.

11. DCAF Greenspace position statement

Members considered a draft greenspace position statement, intended to supplement the existing planning position statement.

It was noted that districts had already adopted or were about to adopt Local Plans and it was difficult for local authorities to impose conditions on developers that were not embedded in the Plan, although it might be possible to include elements in Supplementary Planning Documents. It was agreed the statement could be circulated to local authorities and to officers with greenspace responsibilities.

It was not known whether Dartmoor Access Forum was preparing a similar statement but the DCAF work could be shared.

A discussion took place on the defined greenspaces and whether the specific provision for children and teenagers should be included in the list of more general types of greenspace. It was noted that these were Government definitions and it was agreed the needs of that group should be retained.

It was agreed to put in full weblinks rather than hyperlinks and amend a sentence stating 'unused to accessing greenspace' to 'unfamiliar with accessing greenspace.'

It was agreed to adopt the position statement, subject to minor amendments, and publish and circulate.

Action: Forum Officer to finalise position statement.

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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

The response was noted and approved. The Government had recently published its comments.

12.2 Areas of Outstanding Natural Beauty Position Statement

The response was noted and approved.

12.3 Emerging Exeter Vision for 2040

The response was noted and approved.

12.4 Protected Landscapes Review

The response was noted and approved.

13. Current consultations

13.1 Hemyock Common

Natural England had a responsibility to review long term directions on access land and the one for Hemyock Common had come up for review. The DCAF had supported the original direction in 2013. The purpose of the consultation was to consider whether there was a need for the direction to continue, originally put in place to allow the Gun Club to continue uninterrupted clay pigeon shooting on specified and approved days each year. The Gun Club was an established user of the land.

A discussion took place and several different views were expressed. A five-year restriction was considered to be a long exclusion and it was questioned whether one group of people should have a right in principle to exclude others from exercising their right to use access land. In practice, if the Gun Club manage the land others may get the benefit of any improvements to access.

It was noted that the District Council is reviewing noise levels as part of concerns raised by near neighbours. It was agreed this would be determined under different legislation and should not influence the DCAF response.

The consultation included two different timings for restrictions on a limited number of days each year. This still provided opportunity for access users to use the Common at other times. It was agreed clarification would be helpful on the different timings.

The Gun Club had an agreement with the Parish Council, as landowners, but the terms of that agreement were not known. It was thought that the Parish Council should be aware of and respond to local views.

Sharing access land for different purposes was acknowledged, for example army use on Dartmoor, and the balance to be struck between different users.

It was recommended that access users should be signposted to other space that could be available locally when access on Hemyock Common is restricted.

It was noted that the Gun Club manage the land on behalf of the Parish Council and assist in improving access.

After debate and a vote, it was agreed that a continuation of the direction should be supported.

Action: Forum Officer to circulate draft to members.

13.2 Fire Beacon Hill management options consultation

Chris Cole and the Forum Officer had attended a consultation event at Fire Beacon Hill. Comments from Chris Cole were shared. These mentioned that the car park area would benefit from being enlarged; any new gates and replacement of existing ones should, if practical, be suitable for all users including people with restricted mobility; and that limited fencing/grazing areas should not conflict too much with public access.

It was agreed there was scope to improve access generally and that the DCAF position statement on disability access should be submitted with the response.

Although the car park at the southern end was small, members decided not to recommend it should be enlarged due to the nature conservation aspirations for the site.

It was agreed that the RSPB should be encouraged to work with the Woodland Trust and Forestry Commission to manage the whole area and, where possible, improve access. Partnership working should be encouraged. Temporary electric fencing was not seen to deter access if on a rotation basis. Any permanent fencing would require an application to the Planning Inspectorate.

It was agreed that precise vegetation management prescriptions were outside the remit of the Forum but it would be helpful if any management changes were communicated to the public.

Action: Forum Officer to circulate draft.

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14. Dates of meetings 2018/2019

Dates of forthcoming meetings were agreed:

Thursday, 25 April 2019 10.00 a.m.

Thursday, 19 September 2019 10.00 a.m.

Thursday, 23 January 2020 10.00 a.m.

Several venues were suggested and would be investigated.

15. Any other business

Local Nature Partnership

Maggie Watson expressed interest in attending a Devon Local Nature Partnership Conference if one was planned for 2019.

Action: Forum Officer to contact the Devon LNP.

Devon Countryside Access Forum membership

The Forum Officer said that the recruitment process for Forum membership was currently taking place. She expressed thanks and appreciation to Sarah Slade, Chair; Simon Clist, Gordon Guest and Linda Lee who would come to the end of their three-year term at the end of March. Retiring members could reapply for membership.

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

	Sender	Subject	Action and any feedback
1	Neighbourhood Plan Officer East Devon District Council 2.01.19	Sid Valley Neighbourhood Plan.	Neighbourhood Plan position statement submitted, along with advice to include a map of public rights of way in the access and connectivity chapter.
2	Bigbury Neighbourhood Plan Steering Group 23.01.19	Consultation on draft Bigbury Neighbourhood Plan.	Discussed with Chair. DCAF position statement sent. Also advised to include horse-riders in a health and wellbeing objective referring to the safety of pedestrians and cyclists in relation to footpaths and bridleways. <i>Response received:</i> “We have already looked at some ways to improve access particularly for vulnerable road users and will continue to think about opportunities for cyclists and horse riders as part of the neighbourhood Plan and also as part of new developments taking place in the parish. We will also ensure that the plan objectives are amended to include horse riders and vulnerable users.”
3	Open Access Centre Natural England 28.01.19	<u>Case number 2018088743</u> Notification of a discretionary restriction under Section 22 of the Countryside and Rights of Way Act 2000. The restriction applies to land at Hartridge Hense Moor and Luppitt Common for 12 February and 19 March 2019. 8 of the 28 days allocated to this case have now been used.	No action required.

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4	East Devon District Council 5.02.19	Consultation on a draft Local List Guide intended to help local communities identify and assess features of character with a local heritage value. These are known as non-designated heritage assets and may go on a local list for their area.	Outside remit. For town/parish councils and recognised amenity groups to propose and be involved in the process.
5	East Devon District Council 21.02.19	The Preliminary Draft Charging Schedule consultation associated with the Community Infrastructure Levy imposed on development.	Outside remit as the consultation did not include information on where the CIL would be spent. In future, this is likely to be specified in an annual Infrastructure Spending Statement rather than outlined in Regulation 123 lists, as currently.
6	Open Access Centre 08.03.19	<p><u>2013036672 Hemyock Common - Notification of restriction under the CROW Act 2000</u></p> <p>Notification of a restriction under Section 24 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:</p> <p>May 4 & 18 June 1, 15 & 29 July 13 & 27 August 10 & 24 September 7 & 21</p> <p>11 of 12 days have now been used in this case.</p>	Note agenda item under consultations.
7	Land Charges DCC 25.03.19	Commons Act 2006. Section 19. Application to correct an entry in the register (Furzehill Common) relating to the number of grazing units.	Outside remit.

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8	East Devon District Council 28.03.19	East Devon District Council has prepared a draft supplementary planning document (SPD) to provide guidance and advice on implementing Local Plan policies on affordable housing.	Insufficiently central to remit.
9		Plymouth and South West Devon Joint Local Plan 2014 – 2034. The Plymouth and South West Devon Joint Local Plan was adopted by South Hams District Council on 21 March 2019, Plymouth City Council on 26 March 2019 and West Devon Borough Council on 26 March 2019.	No action required.
10	Exeter City Council 03.04.19	Physical Activity Strategy for Exeter. http://exeter.gov.uk/council-and-democracy/consultations-and-petitions/physical-activity-strategy-consultation/	Consultation aimed primarily at Exeter residents and organisations offering physical activity. Individual members may wish to respond. Closing date 3 May 2019.
11	Teignbridge District Council 03.04.19	Parks and Green Spaces Survey https://www.teignbridge.gov.uk/council-and-democracy/consultation/live-consultations/	Consultation aimed primarily at Teignbridge residents and asks questions about specific sites. Individual members may wish to respond.
12	Ash Dieback Forum 10.04.19	https://www.smartsurvey.co.uk/s/Forestry_Commission/ Survey on tree health and public awareness.	Individual members may wish to respond.

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.

DCAF report March 2019. Reference the Pebblebed Heaths. By Gordon Guest.

Clinton Devon Estates ran a drop-in session on March 7th for stakeholders to discuss their long-term aims for the East Devon Pebblebed Heaths (Woodbury Common) and the heaths management.

Clinton Devon Estates prime concern is to manage the habitat of plants and fauna and wildlife, protecting this as much as is possible from human interference.

They also wish to continue making large parts of the heaths open to the public.

They also need to continue to share use of the heaths with the military and Royal Marines.

Clearly, there can be tensions between some of these aims.

In February 2018, Clinton Devon Estates ran a workshop at Budleigh Salterton, which Sarah and Gordon attended. Since then Clinton Devon Estates has continued to collect evidence. An aspect of evidence has been collecting details of car parking numbers in some car parks and some face-to-face interviews in car parks.

From this information, Clinton Devon Estates has produced a statistical analysis that currently shows some 400,000 people use the heaths annually. This compares with Knightshayes National Trust property near Tiverton of 180,000 annual visits.

At the drop-in there was a large room with a long line of tables. Arranged around the tables were data on each carpark, formal and informal. This formed a map, an aerial photograph, car park photographs, and one to two sides of A4 of written information on each car park.

This information included options of closing a car park, making it bigger, realigning car park to improve access, and readjusting car parks in relation to visitor numbers. E.g. improving busy car parks, potentially closing less busy car parks. Part of the scheme was to re-orient which parts of the heath public walked on, rode horses on, and where accessibility was possible without conflict with the military.

Clearly, a substantial amount of work and data collection had gone into each car park analysis. It was emphasised this was a twenty-year project and would be reliant on s106 funds from housebuilding. There was concern that the further expansion of Cranbrook, the 10,000 houses in Cullompton and the Greater Exeter Strategic Plan would all substantially increase the local area population and thus the expected upward usage and demand to use the heaths by the public.

Whilst I was there representatives from the police were there also. It was useful to hear their comments, including which car parks had no crime and which had heavy crime and were used for anti-social or drug use. An option presented was to create one or two totally blue badge car parks. Whilst in principal this sounded a good plan I asked the police about this. They were very concerned at the potential location of these as in both cases it meant blue badge holders would be crossing a busy road to access the heath land, which they were against. (The location of blue badge car parks not the idea of blue badge car parks).

Gordon made many comments about general access, horse riding and scooter access based on discussions at DCAF.

Roger and Kim, staff at the event, were left with the option to ask Gordon to organise an event where several persons in a range of mobility scooters attended a site visit on the heaths with

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Clinton Devon Estates personnel. Through driving scooters around on the heaths and in and out of the car parks, personnel could see at first hand the issues.

Copies of the Power Point presented in February 2018 were given, as were some of the paper handouts from 2018 reference scooter accessibility. These had photographs of earth bunds, gates that were too small, erosion gulleys, large boulders and padlocked metal barriers, which impeded access.

An observation for DCAF members is that the new countryside Park at Dawlish, which DCAF visited, was joint funded by several local authorities. Clinton Devon Estates are clearly looking at that funding model to assist with the heaths.

Drawing on experience from across the UK, Clinton Devon Estates argued the biggest challenge was protecting plants, fauna, habitat and wildlife from huge volumes of human walking now and in the future.

If there is a future site visit for scooters it would, of course, be open to any DCAF member.

PUBLIC RIGHTS OF WAY COMMITTEE

4 March 2019

Present:-

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

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Minutes

RESOLVED that the minutes of the meeting held on 15 November 2018 be signed as a correct record.

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Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

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Devon Countryside Access Forum

The Committee received the draft minutes of the Devon Countryside Access Forum meeting held on 24 January 2019 which covered a range of matters. The next meeting of the Forum would be on 25 April 2019 at Cheriton Bishop.

Members raised the issue of sheep worrying and Officers reported that they had met with the Rural Affairs Police Officer for Devon to discuss rural crime issues. Guidance was on the Council's public rights of way web pages, encouraging the public to report any incidents of livestock worrying to the Police.

Members noted that the Teignbridge District Council Public Space Protection Order on dog control was soon to be implemented. This would also cover Stover Country Park.

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Parish Review: Definitive Map Review - Parish of Parracombe

(Councillor Colthorpe declared a personal interest in this item by virtue of being a member of the British Horse Society.)

(Councillor S Bastock on behalf of Parracombe Parish Council attended under the Council's Public Participation Scheme and spoke to this item in support of Proposals 2 and 3.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/16) which examined two of the three current proposals arising from the Definitive Map Review in Parracombe.

As to Proposal 2, Officers confirmed that Parracombe Parish Council would have an opportunity to comment on the further investigation regarding the status of Bridleway No 5.

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by adding a restricted byway between points G – H as shown on drawing number HCW/PROW/18/28a (Proposal 2) to resolve an anomaly affecting Bridleway No. 5 so that it meets a public highway at both ends, and that further investigation be made regarding the status of Bridleway No 5 in the light of the evidence set out in this report.

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

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RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by deleting a public bridleway between points J – L and adding a public bridleway between points J – K – L as shown on drawing number HCW/PROW/18/27a (Proposal 3) to resolve an error in the recording of Footpath No. 9 north of West Bodley.

* **90** **Parish Review: Definitive Map Review 2017-2019 - Parish of Lympstone**

(Councillor Colthorpe declared a personal interest in this item by virtue of being a member of the British Horse Society.)

(Mr Goddard attended under the Public Participation Scheme and spoke to this item against Proposal 2.)

The Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/17) which examined three proposals arising from the Definitive Map Review in the Parish of Lympstone in East Devon.

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by adding a footpath between points A - B as shown on drawing number HIW/PROW/19/01.

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

RESOLVED that the making of a decision in respect of Proposal 2 be deferred pending further investigation as to the accuracy of paragraph 2.6.14 in the Report (HIW/19/17).

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

RESOLVED that a Modification Order be not made in respect of Proposal 3 and that it be noted that it is already recorded as highway maintainable at public expense.

* **91** **Parish Review: Definitive Map Review 2018-2019 - Parish of Clayhanger - Borden Gate Parish Council**

(Councillor Colthorpe declared a personal interest in this item by virtue of being a member of the British Horse Society.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/18) which examined the Definitive Map Review in the Parish of Clayhanger in Mid Devon, one of the three parishes now within Borden Gate Parish Council.

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

RESOLVED that completion of the Definitive Map Review in the Parish of Clayhanger be noted requiring that modifications be not made.

* **92** **Parish Review: Definitive Map Review 2018-2019 - Parish of Huntsham - Borden Gate Parish Council**

(Councillor Colthorpe declared a personal interest in this item by virtue of being a member of the British Horse Society.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/19) which examined the Definitive Map Review in the

Parish of Huntsham in Mid Devon, one of the three parishes now within Borden Gate Parish Council.

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

RESOLVED that completion of the Definitive Map Review in the Parish of Huntsham be noted requiring that modifications be not made.

[Note: in accordance with Standing Order 32(4) Councillor Colthorpe requested that her abstention from voting on this decision be recorded.]

* **93** **Parish Review: Definitive Map Review 2017-2019 - Parish of Sampford Peverell**

(Councillor Colthorpe declared a personal interest in this item by virtue of being a member of the British Horse Society.)

The Committee received the Report of the Chief officer for Highways, Infrastructure Development and Waste (HIW/19/20) which examined the second of the three 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 that it be noted that the route shown on drawing number HIW/PROW/18/017 is already a public footpath.

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

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/18/21) on decisions received from the Secretary of State.

* **95** **Modification Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/22) on a Modification Order confirmed as unopposed under delegated powers, namely Byway Open to All Traffic No. 21 and Footpath No. 15 Buckerell Definitive Map Modification Order 2018.

* **96** **Public Path Orders**

The Committee noted the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/19/23) on Public Path Orders made and confirmed under delegated powers, namely:-

Diversion Orders

- (i) Footpath No. 6, Coldridge Public Path Diversion & Definitive Map and Statement Modification Order 2018
- (ii) Footpath No. 7, Okehampton Public Path Diversion & Definitive Map and Statement Modification Order 2018
- (iii) Footpath No. 93, Bere Ferrers Public Path Diversion & Definitive Map and Statement Modification Order 2017
- (iv) Footpath No. 60, Sidmouth Public Path Diversion & Definitive Map and Statement Modification Order 2018

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4/03/19

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

The Meeting started at 1.00 pm and finished at 2.16 pm



Devon Countryside Access Forum

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01392 382771

devoncaf@devon.gov.uk

www.devon.gov.uk/dcaf

Department for Transport
Highway Code Division
Great Minster House
33 Horseferry Road
LONDON
SW1P 4DR

4 February 2019

Dear Sir/Madam

Highway Code Review

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 the Secretary of State for the Department of Transport.

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 met on 24 January. The Forum is aware that a review of the Highway Code and its associated guidance is taking place, following the announcement by the Department of Transport in the autumn. This was also the subject of a public question to the DCAF in relation to safety of equestrians.

The Devon Countryside Access Forum discussed this matter and advises that horse riders and carriage drivers should be included in the category of vulnerable users, alongside walkers and cyclists.

In rural counties, such as Devon, equestrian access users are particularly vulnerable as

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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many rural roads do not have a lower speed limit and drivers may not have good sight of equestrians ahead.

This letter constitutes formal advice from the Devon Countryside Access Forum and the Department of Transport is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this forum in carrying out its functions.

The DCAF would appreciate feedback on its request.

Yours faithfully



Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade Vice Chair: Chris Cole



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: www.gov.uk/dft

Our Ref: 249177
Your Ref:

Date: 6th February 2019

Hilary Winter
Devon Countryside
Access Forum

Dear Hilary Winter

Horses and the Highway code

Thank you for your letter of 4th February 2019 about review of the Highway Code. This has been forwarded to the Road Safety Unit as we have policy responsibility for road safety. I have been asked to reply.

The Department published the Cycling and Walking Investment Strategy (CWIS) Safety Review Call for Evidence on 9 March 2018. This closed on 1 June 2018, with over 14,000 responses. The Department received many different ideas for improving the safety, and perceptions of safety, of cyclists, pedestrians and other vulnerable road users including different ways of educating motorists and improving empathy.

We published the summary of responses on 18 October 2018, and a full Government response to the consultation on 22 November 2018. Details of this can be found at <https://www.gov.uk/government/speeches/governments-response-to-the-cycling-walking-investment-strategy-safety-review>.

The CWIS Safety Review was specifically focused on ways to improve the safety of vulnerable road users, including horse riders. Much of it is directly relevant to horse riders, including its emphasis on the hierarchy of road users, and on close passing and overtaking.

As you will know, the Highway Code already mentions horse riders and the need for drivers to exercise special care in relation to them. The new review work is designed to improve the Highway Code still further, to keep vulnerable road users safe on the roads and make sure they are at the forefront of motorists' minds when they are travelling. The review will be conducted in consultation with our stakeholders, according to the Department's usual practice, including those representing equestrians.

Yours sincerely

Uzo Nwoko



Devon Countryside Access Forum

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Mr R Thomas
Lead Adviser Open Access
Mail Hub,
Natural England,
County Hall,
Spetchley Road,
Worcester
WR5 2NP

5 February 2019

Dear Mr Thomas

Hemyock Common

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.

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 Devon Countryside Access Forum met on 24 January and discussed the review of the current long-term statutory direction.

The Forum considered that the reasons for the existing direction are still pertinent to allow the well-established shoot to continue and it therefore supports an extension to the direction.

The Forum would welcome clarification on the time periods as the consultation mentions 13.00 to 18.00 and 11.00 to 17.00. A defined time, giving as much notice as possible of dates, is helpful to access users who could also be signposted to alternative access land nearby. Notices on-site as well as on the Natural England website are essential to provide

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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information to the local community.

Although not specifically relevant to this consultation, the Forum notes the work done by the Gun Club to manage the Common on behalf of the Parish Council (landowner) and the improved access this provides.

The Forum would be grateful if you could let it know the outcome of this consultation.

Yours sincerely

A solid black rectangular box used to redact the signature of Hilary Winter.

Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade Vice Chair: Chris Cole

DIRECTION NOTICE: RESTRICTION OF PUBLIC ACCESS UNDER THE COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

The relevant authority – Natural England - gives this direction for the purposes of the management of the land under section 24 of the Countryside and Rights of Way (CROW) Act 2000 to give effect to the exclusion detailed below.

This direction is to be read in conjunction with the separate site notice bearing the case number below.

Case number: 2013036672

Site name: Hemyock Common

Date of issue: 8th March 2019

Expiry date: 7th March 2025

Period of restriction/exclusion

Access may be excluded in the way described below for a maximum of 12 days from 1st May to 1st October each year. 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.

Nature of restriction

Public access by virtue of section 2(1) of CROW to the land detailed below is to be excluded.

Land affected

The site notice which accompanies this direction shows the land affected by this exclusion.

Grid reference: ST119118

Reason why this direction has been given:

Natural England is satisfied that exclusion of public access rights to the extent specified is necessary to prevent disruption to clay pigeon shooting.

Information and conditions which apply to this direction

1. This direction only affects the availability of public access rights conferred by virtue of section 2(1) of CROW. It has no effect on public rights of way over the same land, or on existing open access rights of the type listed at CROW section 15, or on any other access right, tradition or custom, or any uses of the land permitted or tolerated by the landowner.
2. It has no effect on any area within the specified land that is not otherwise subject to the access rights described above – for example it has no effect on land which is excepted under Schedule 1 to CROW.
3. The Open Access Contact Centre must receive notifications from Hemyock Parish Council at least 5 working days before the restriction is to begin. Notifications may be made by email, by telephone or by post.
4. Where restrictions are activated for only part of a day, this will be treated as a full day in calculating the remaining allowance.
5. If any restriction is notified but then becomes unnecessary, the relevant authority may permit Hemyock Parish Council to withdraw the notification (so long as 5 days notice are given) and retain any remaining allowance for notification at a later date, in accordance with the conditions of the direction.
6. If for any reason after the giving of this direction restriction/exclusion is no longer necessary for the purpose specified, or no longer necessary to the extent (or at any of the times) specified

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under the direction, a representative of Hemyock Parish Council should immediately notify the Open Access Contact Centre. The direction will then be revoked or varied as appropriate in the circumstances.

Revocation or variation of direction

7. Natural England may revoke or vary this direction by giving a further direction at a later date, if it considers this necessary.

Review of direction

8. Natural England will review the need for this direction within five years of the date of issue shown at the top of this notice and, subsequently, within five years of the date of the last review, until the direction is revoked or expires, as required by CROW section 27(3).

Further contact

To notify dates in accordance with this direction or for further information on restrictions and exclusions of public access to CROW access land or coastal land, write to the Open Access Contact Centre at:

Open Access Contact Centre
Natural England
Third Floor
Horizon House
Deanery Lane
Bristol
BS1 5AH

or by telephone on 0300 060 2091 or e mail at openaccess@naturalengland.org.uk.

Natural England

Countryside and Rights of Way (CROW) Act 2000

NOTICE OF RELEVANT AUTHORITY DECISION FOLLOWING REVIEW OF DIRECTION RESTRICTING CROW ACCESS

Prepared by Natural England

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

Direction reference: 2013036672

Land Parcel Name	Direction Reference	Details of restriction on original direction
Hemyock Common	2013036672	Outline Direction 12 days between 1 st May to 1 st October Every year until 30 th 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

Natural England has now decided how to proceed following its review of the above mentioned long-term direction to restrict CROW Access rights on this land. An initial consultation has been held between 14 December 2018 and 8 February 2019 with statutory consultees and the general public. We received feedback from a number of consultees including the Devon Countryside Access Forum, the Ramblers Access Officer for Devon, and local residents.

In summary the feedback was as follows:

Devon Countryside Access Forum (DCAF) considered that as the reasons for the existing direction are still applicable to allow this well-established shoot to continue, they support an extension of the direction. They would like a clarification of the time periods of closures and consider that the defined times of starting and stopping shooting are well signposted on site, and with as much notice as possible. They also suggest signposting where alternative access land can be found nearby. They also note that the gun club carry out land management works on the common on behalf of the Parish Council which improves access at the site.

The Ramblers' local contact was unsure as to why the direction was a land management direction rather than a public safety direction, but that given the limited days and times of the direction he had no concerns with it continuing for another six years.

Natural England also received two identical comments from one local address. They both object to the continuation of the direction stating that it is no longer necessary for its original purpose. They state this is due to Mid Devon District

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Council having served a Statutory Noise Abatement Notice on the Culm Vale Gun Club Limited on 18th December 2018, and that the gun club must abate the occurrence of the statutory notice within two months of the served date. They also consider that this shooting activity should not be permitted on Open Access land by the landowners.

They also state some other concerns such as the shooting is causing environmental damage at a County Wildlife Site, that lead shot is being deposited on adjacent agricultural land where food is being produced to enter the human food chain, and that there may be unlawful structures on Registered Common Land for which the Open Spaces Society have expressed concerns. They also question whether the gun club are maintaining safe public exclusion zone distances and are maintaining sufficient minimum separation distances from noise sensitive premises. They also question whether the direction given by Natural England is excessive and is an unreasonable closure of open access land, and they also question whether the gun club have insurance cover for Environmental Damage.

Outcome of the review:

Natural England's decision is to leave the original direction unchanged in the way it was originally proposed and extend the end date for a further six years. As no details of the direction have changed a second consultation was not required.

As described in the Initial Consultation Report 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 historical period there had been no incidents or issues, and the club had been managing the site and shooting safely during this long period.

During the review process Natural England has spoken to the gun club and had correspondence with Mid Devon District Council. Natural England understands that the District Council have been working with the gun club since 2013 following complaints about noise from local residents. The council and the club agreed certain conditions to be adhered too, which in summary were to use quieter subsonic cartridges, move the four gun stands further into the common away from the complainant's property and construct a wall of straw bales behind each stand to reduce the noise levels travelling to the same property. The noise levels were to be measured using decibel meters and the gun club have informed Natural England that they have shot within these conditions since their implementation in 2014. Natural England understands that a change of policy within the District Council resulted in the Noise Abatement Notice being served on the gun club at the end of 2018, which has been appealed by the club. The appeal dates for this case in the magistrate's court are in June and until those dates Natural England understands the District Council have given permission for the shooting to continue as long as the conditions agreed in 2013/4 are being adhered too.

If the gun club loose the appeal and are no longer able to shoot on the common the Parish Council can advise Natural England as such and the direction can be

revoked. Until that point shooting is continuing and as there have been no other changes at the site relevant to this case there is still a requirement for the direction as given by Natural England in 2013. The circumstances around the shooting and the reasons for the restriction were given in the Initial Consultation Report and these have not changed. The direction was given for disruption to the shoot as it was felt in 2013 that this was a real possibility as some local residents or local dog walkers might insist in utilising their CROW access rights while the shooting was taking place.

It was not given for public safety as we followed the guidance in the Secretary of State approved Relative Authority Guidance (RAG). The RAG states in Criteria Set 18.2:

Step 5. Is it necessary to do anything?

- *Shooters have to assume that members of the public may be present and take all necessary precautions, even at times when they are unlikely to encounter visitors.*
- *People using shotguns should be able to see the whole area where their shot could fall and must not shoot if anyone enters that zone of risk.*
- *These standard precautions are normally sufficient to reduce risks to the public to an acceptable level. Further precautions may be necessary where the topography, vegetation cover or other obstacles obstruct the views of shooters over the zone of risk.*
- *Signs, flags or lookouts ('stops') may be used to let visitors know when shooting is taking place and recommend safe routes through or around the affected area. Night visitors can be advised to wear a reflective strip on their clothing to make it easier for shooters to spot them quickly.*

Step 6. Is statutory restriction necessary?

- *Restrictions to prevent danger to the public will only be necessary where shooter's views over the area of risk are obstructed. The area of risk will depend on sightlines in the direction(s) of fire, and the gun and ammunition used. Relevant authorities may take advice from the police or another recognised shooting body to determine its precise extent.*

As described in the initial consultation report:

'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.'

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The other concerns expressed by the local residents in response to the initial consultation are outside the scope of this review so cannot be considered further, though have been mentioned to the landowner for consideration.

DCAF considered that the times of the shooting should be clearly signed on site. Natural England agrees with this and would like to emphasise the importance of displaying the restriction site notices well in advance of the shoot days. The times allowed in the direction are either from between 13:00 and 18:00 or 11:00 and 17:00 and these times should be notified to Natural England at the same time as the dates (as was the case this year) so they can be included on the restriction site notices produced by Natural England.

Natural England's policy for long term directions is that they should not be given for a period of more than 6 years. Therefore the original direction will be varied to have an end date of 7th March 2025.

Details of the restriction will appear on the relevant map of access land on the Open Access website - www.openaccess.naturalengland.org.uk.

Where a direction restricts access indefinitely, for more than five years, for part of every year, or for part of at least six consecutive years, we have a statutory duty to review it within five years of the date of its issue.

Date review completed: 8th March 2019

NO OPEN ACCESS

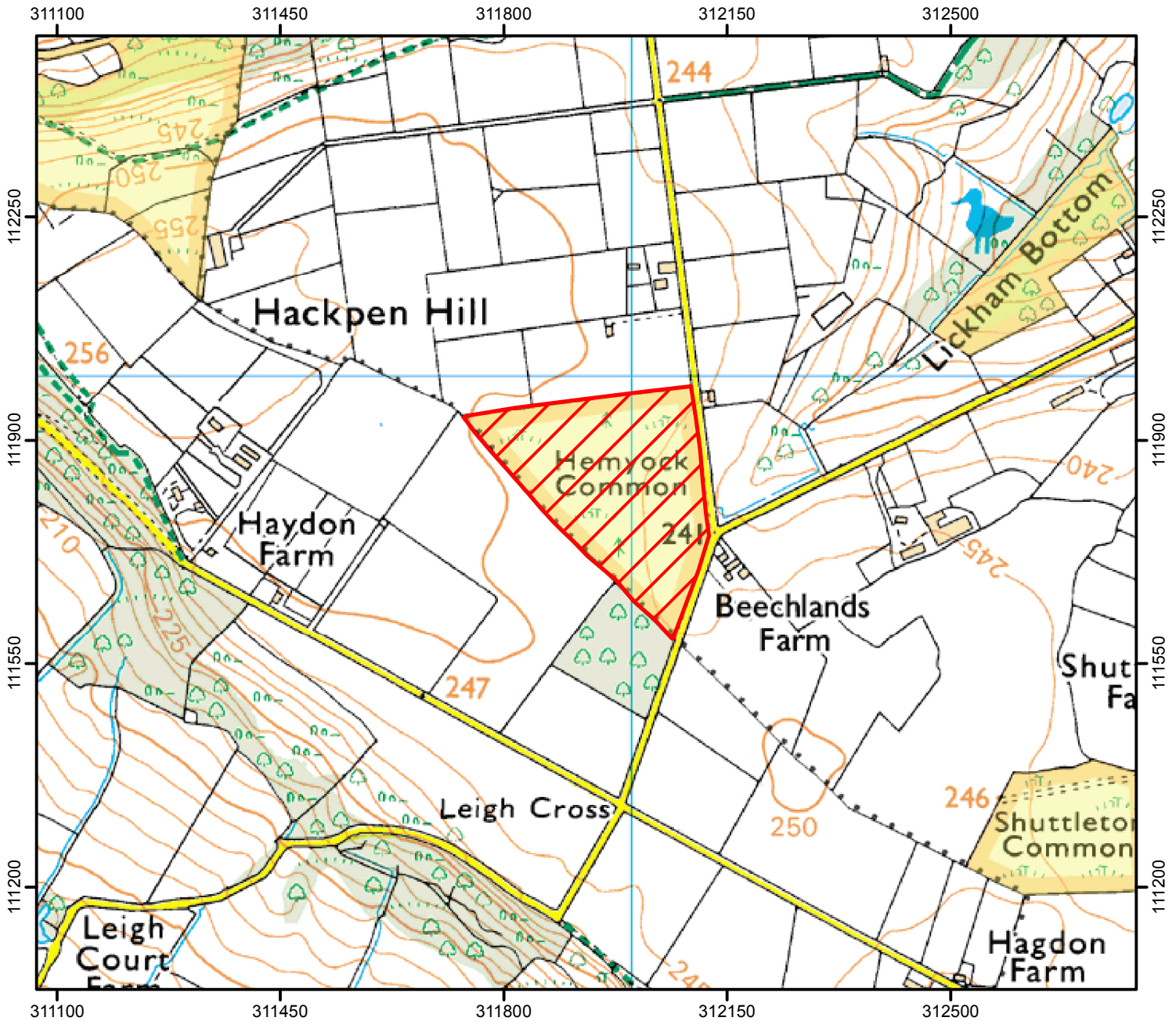
NATURAL ENGLAND

The open access land shown hatched on the map below is temporarily closed when shooting is in progress between 1pm and 6pm on the following days in 2019:

- May 04 and 18
- June 01, 15 and 29
- July 13 and 27
- August 10 and 24
- September 07 and 21

This does not affect Public Rights of Way.

Case Number: 2013036672



Restricted Open Access Land



Open Access Land



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For more information call the Open Access Contact Centre on 0300 060 2091 or visit our website at www.gov.uk/right-of-way-open-access-land/use-your-right-to-roam



Devon Countryside Access Forum

Lucombe House
County Hall
Topsham Road
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Tel: 07837 171000
01392 382771

devoncaf@devon.gov.uk

www.devon.gov.uk/dcaf

Mr T Taylor
Site Manager
RSPB
Hawkerland Brake Barn
Exmouth Road
Aylesbeare
EX5 2JS

5 February 2019

Dear Mr Taylor

Fire Beacon Hill

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. This letter is being copied to the Town Council as one of those above-mentioned bodies and as owners of the land.

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 Devon Countryside Access Forum discussed this consultation at its meeting on 24 January.

Forum members welcome positive management of this access land site which is a valuable recreational area on the outskirts of Sidmouth, crossed by the East Devon Way, several footpaths and bridleways and an unsurfaced unclassified County road.

The Forum would encourage increased joint working with the Woodland Trust and Forestry Commission on nearby parcels of land as this could create enhanced access opportunities.

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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It is not within the remit of the Forum to advise specifically on vegetation management by the RSPB, but use of temporary electric fencing on a rotation basis for grazing purposes is not seen to deter access use.

The Forum recognises the importance of maintaining and improving the natural capital of the site but would like to ensure that any management changes bear in mind recreational access and that, where possible, improvements are considered as part of the overall plan for Fire Beacon Hill. For example, the DCAF has produced a position statement on disability access, attached, and would welcome any changes to path furniture and accessibility that would benefit disabled users.

This is a popular site for dog walkers and, as you will be aware, there is complex dog legislation implemented at district council level for all land and at national level for access land. In developing a Management Plan that potentially involves other partners and includes non-access land, it will be important for dog walkers to be aware of any restrictions and fines and which area of land they apply to.

If the management regime on Fire Beacon Hill varies significantly from that currently in place, the Forum would wish to see effective communication channels established so that access users are aware of the reasons for any amendments.

The DCAF would like to be involved in the further consultation later this year.

Yours sincerely



Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade Vice Chair: Chris Cole

Submitted to **South West Marine Plan Iteration 3 Engagement**
Submitted on **2019-03-28 18:39:17**

About you

1 What is your name?

Surname:

Winter

First Name:

Hilary

2 How can we get in touch with you?

Email:

hilary.winter@devon.gov.uk

Telephone:

07837 171000

3 Are you responding as an individual or on behalf of an organisation?

Organisation

Organisation:

Devon Countryside Access Forum. The Forum is a local access forum, set up under the Countryside and Rights of Way Act 2000, to advise on the improvement of public access to land for the purposes of open-air recreation and enjoyment. It has fifteen members who represent land managers, access users and other relevant interests.

4 Which sector or topic does your response relate to?

Sector or Topic:

Recreation

Please add a second sector if appropriate:

Social & Cultural

Other please specify:

Recreational access interfaces with seascape/landscape and tourism too.

5 Do you give us permission to contact you regarding matters relating to your response and wider marine planning communications

Yes, regarding this engagement, Yes, marine planning communications

6 Would you like your response to be confidential?

No

If you answered Yes to this question please give your reason:

Overall Comments and Feedback

1 Do you have any general comments about the information presented to you in this survey?

You might want to consider: How policies may work together, how can we make policies more locally specific or comments which refer to policies in other plan areas:

The commentary on recreational access appears thorough. The relevant associated policies in the SW marine plan draft Social section relate primarily to access, heritage, seascape/landscape, social, and tourism and recreation. These seem comprehensive and laudable, both in terms of protecting recreational access and the associated environment. However, there are many factors and the interrelationship between these mean that a change in one could create other unexpected and potentially damaging outcomes.

It is important that the Marine Management Organisation continues to consult with as many different organisations as possible so unexpected difficulties are flagged up earlier rather than later.

2 Overall, how satisfied are you with this online survey?

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Not Answered

Please provide any comments or suggestions on how we could improve the survey in the field below:



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Lucombe House
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Tel: 07837 171000
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Devon Countryside Access Forum

Response to the East Devon Forest Plan 2019-2029 West England Forest District

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 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...” Section 94(4) of the Act specifies bodies to whom the forum has a statutory function to give advice, one of which is the Forestry Commission.

The DCAF currently has sixteen 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 Devon Countryside Access Forum has confined its comments to question 4. on the on-line survey. This response will be on the agenda for formal approval at the next Forum meeting on 25 April 2019.

Recreational Access

The Devon Countryside Access Forum welcomes the recreational access opportunities provided in the Forestry Commission woods in East Devon and notes that several of the woodland areas are open access.

The Forum supports the objective of ‘the provision and maintenance of recreation facilities’ and would encourage any improvements where these are compatible with other social, economic and environmental land management objectives. It understands that there is likely to be reduced capacity to achieve this in the woodland areas which are leased.

Plan objectives and vision

A number of other statements in the 50 Year Vision and objectives accord with the Forum’s remit to improve public access to land and the enjoyment thereof, notably:

1. The widening of rides and increased sunlight, together with opening up viewpoints into the forest and out into the landscape;

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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2. improvements to biodiversity and more mixed woodland species; and
3. maintenance and enhancement of cultural and heritage assets.

The overriding principle for the forest to be a 'popular and safe place to come to exercise, learn and relax in a resilient natural environment' is a key message.

Matters identified for inclusion in the Forest Plan

The Forum has identified several matters which should be mentioned in the Plan and considered as part of its implementation.

- *Access use*

The Plan includes references to open access land and a number of public rights of way. However, it only mentions walking and cycling. It is not clear where horse-riding and cycling are permitted, other than on bridleways, and whether there is potential for improved equestrian use (including carriage-driving) and cycling on other routes within the forest area. The Forum advises the Forestry Commission to consider additional uses on existing paths and especially where rides are being widened. Access users increasingly welcome safe and quiet off-road routes.

Dog walkers are the major recreational access group and it would be helpful for the Plan to refer to this group of users and policies/codes of conduct encouraging responsible dog walking.

There will be an increased range of mobility scooters available in the future and more people using them to access the countryside and forest areas. The Devon Countryside Access Forum's Position Statement on Disability Access is attached.

Maps of each woodland area showing the public rights of way through the wood, or adjacent to it, would be useful.

- *Parking*

There is a reference to improving car park aesthetics. It is not clear from the Plan whether any new car parks are being proposed. The Forum advises that any enhancements should take account of the needs of disabled visitors with wheelchairs, mobility scooters or tramper buggies, and ensure there is easy access from car park areas to paths. Earth bunds, narrow gates, erosion gulleys, large boulders and padlocked barriers are particularly problematic.

- *Neighbouring landholdings*

Where there is potential to improve recreational access provision in association with other landowners, particularly authorities or charities, the Forum advises the Forestry Commission to explore options.

The Forum would welcome feedback on its comments.

**Devon Countryside Access Forum
April 2019**



Devon Countryside Access Forum

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The Cranbrook Plan
Planning Policy
East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

18 April 2019

Dear Sir/Madam

Cranbrook Plan Submission Draft

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, one of which is district councils.

The DCAF currently has sixteen 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.

This response will be on the agenda for formal approval at the next Forum meeting on 25 April 2019.

The DCAF has previously prepared position statements on Planning and Major Developments, Disability Access and Greenspace and these are attached.

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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General comments on sustainable transport and green space.

The DCAF recognises the importance of health and well-being and the contribution that well-designed and safe walking and cycling routes can make. Ensuring the provision of accessible green space with dedicated cycling and walking routes through such areas is also valuable and will help to encourage sustainable transport.

CB15 Delivery of Suitable Alternative Natural Green Space (SANGS)

The policy on SANGS would be more *sound (effective)* if the following matters were considered.

The Devon Countryside Access Forum would welcome much more information as to how SANGS will be provided, and financed, in perpetuity. There is no firm indication of how that will work or what level of maintenance would be considered adequate. Significant environmental change over coming decades, for example climate change and tree disease, may mean additional contingency funds need to be provided to deal with such problems. Ongoing maintenance costs are generally under-estimated and under-provided for on such projects. To ensure the SANGS site achieves its objectives, and is well used by Cranbrook residents, it needs to be well-maintained with sufficient long-term funding.

The SANGS policy has a number of 'delivery' points. No mention is made of access using public transport and there is an emphasis on car use/parking. The Plan should explicitly recognise that some users need safe access that is separate from car access, and that intended routes, e.g. a cycle path within a road, may either be unsuitable for children to use independently, or may fail if it is interrupted by a hazard like a busy junction or a difficult road to cross. If children/young people (and other non-car drivers) are to be properly provided for, means of accessing the SANGS safely and independently should be explored and explicitly set out, recognising and dealing with such potential obstacles. This is particularly important as Cranbrook is likely to have an above average proportion of children and young people.

The DCAF welcomes inclusion in the SANGS policy of the provision of circular paths that are available all year round, appropriate signing and a variety of habitats.

As dog walkers are the main access user group, areas to walk dogs off-lead are particularly appreciated by dog owners. Whilst the principle of SANGS is to provide space for dog-walking away from environmentally sensitive areas, some SANGS sites in the country do provide wider paths to allow for cycling and the DCAF advises that this should be explored.

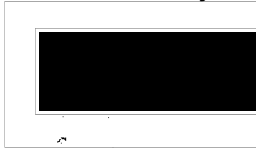
Ensuring easy access into the SANGS site for people with pushchairs, wheelchairs and mobility scooters is also critically important. The Devon Countryside Access Forum's Disability Access Position Statement provides further detail.

Housing design

In a recent response to the Department of Transport's Cycling and Walking Investment Strategy consultation, the Forum highlighted the poor storage facilities associated with new housing which can discourage bike ownership.

The Forum would welcome feedback on its comments.

Yours faithfully



Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade Vice Chair: Chris Cole

Devon Countryside Access Forum
Draft Work Plan 2019-20

	April – June	July - August	September - December	January - March
DCAF Meetings	Thursday, 25 April		Thursday, 19 September	Thursday, 23 January
Speakers	John Baker Public Rights of Way Warden		National Trust?	?
Coastal Access North & South Devon		Reports for consultation?	Reports for consultation?	
Training Day	Mid/late June - health or land manager theme			
Consultations - ongoing				
DCAF proactive work	Disability access	Disability access	<ul style="list-style-type: none"> • Deregulation Act reforms? • Agriculture Bill – Public goods/ improvement of access? (End of 2019/2020) • Disability access 	<ul style="list-style-type: none"> • Deregulation Act reforms? • Agriculture Bill – Public goods/ improvement of access? • Disability access
Other				

General aspirations 2019-20

- Respond to consultations, using working groups where appropriate
- Seek improvements to recreational access
- Contribute to green infrastructure policy development throughout the County
- Raise the profile of the DCAF

Working with Devon County Council

- Ensure integration between the DCC Rights of Way Improvement Plan and other strategies and policies
- Support the Public Rights of Way team, DCC
- Continue to work with DCC on multi-use route development
- Continue the link with the Public Rights of Way Committee

