



Devon Countryside Access Forum
c/o Public Rights of Way team
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Fifty-Eighth meeting Devon Countryside Access Forum

Tuesday, 27 April 2021 at 10.00 am

Virtual meeting

Please contact the Forum Officer for joining instructions and information on public participation.

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. To approve minutes of the meeting held on 21 January 2021 (Pages 1 - 12)
4. Matters arising
 - 4.1 Public question / British Horse Society - equestrian access to recreational trails and Local Cycling and Walking Infrastructure Plans (Pages 13 - 20)

To note letters sent to Devon County Council and feedback.
 - 4.2 Lower Otter Valley update
 - 4.3 Teign Estuary Trail

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

- 4.4 Clyst Valley Regional Park Masterplan
- 5. Election of Chair and Vice Chair
- 6. DCAF representation at meetings
 - 6.1 Defra Access and Inclusivity workshop
 - 6.2 Pebblebed Heaths National Nature Reserve (NNR) Board
 - 6.3 Exe Estuary Trail accessibility
- 7. Correspondence log (Pages 21 - 24)
- 8. Public questions
- 9. England Coast Path (Pages 25 - 38)

To note decisions made by the Secretary of State on the stretches from Combe Martin to Marsland Mouth; Cremyll to Kingswear; and Kingswear to Lyme Regis.
- 10. Minutes of the Public Rights of Way Committee (Pages 39 - 42)
- 11. Public Rights of Way update
- 12. Devon's unsurfaced, unclassified road network (uUCRs) (Pages 43 - 48)
- 13. To note and approve responses to consultations and updates
 - 13.1 Parks and Green Spaces, Exeter City Council (Pages 49 - 50)
 - 13.2 Devon Interim Carbon Plan (Pages 51 - 52)
 - 13.3 Countryside Code refresh (Pages 53 - 58)
 - 13.4 Planning appeal - Pennsylvania Road, Exeter (Pages 59 - 62)
- 14. Current consultations
 - 14.1 Northbrook Park, Exeter City Council (Pages 63 - 78)
- 15. Devon Countryside Access Forum Annual Report

To approve annual report prior to publication.
- 16. Training Day

17. Work Plan 2021/22
18. Any other business
19. 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-Seventh meeting
of the Devon Countryside Access Forum**
Virtual meeting
Thursday, 21 January 2021

Attendance

Forum members

Andrew Baker
Joanna Burgess
Chris Cole (Vice-Chair)
Tim Felton
Lucinda Francis
Gordon Guest

Jo Hooper
Sue Pudduck
Councillor Philip Sanders
Tino Savvas
Sarah Slade (Chair)
Bryan Smith

Devon County Council Officers and others present

Helen Clayton, Senior Officer, Public Rights of Way, DCC
Marta Gawron, Public Rights of Way team
Philip Hackett, British Horse Society Access Field Officer – South West
Ros Mills, Public Rights of Way Manager, DCC
Hilary Winter, Forum Officer

1. Apologies

Apologies had been received from Cllr Tony Inch, Sue Leith and Lorna Sherriff.

2. Declaration of interests

There were no declarations of interest.

3. To approve minutes of the meeting held on 24 September 2020

Minutes of the meeting held on 24 September were approved and would be signed in due course.

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4. Matters arising

4.1 Pebblebed Heaths Visitor Management Plan

The Devon Countryside Access Forum had responded to the consultation. Clinton Devon Estates had confirmed that it will be promoting Wheathill car park as the practical and safest option for horse box parking. Almost all parking areas would have height barriers installed as part of capital works when on site, but some will generally be kept open. All organised events required permission. It was hoped to complete phase one of the improvements by autumn 2021 and this included Four Firs and Joney's Cross car parks and the informal parking areas at Stowford Woods and Frying Pans. A consultant had been contracted in to manage the project. During 2020 the Pebblebed Heaths had seen much higher footfall so plans would be reviewed at the outset of each phase to make sure they are still appropriate.

The Forum Officer was asked to enquire which barriers would be left open and whether these would be advertised.

Action: Forum Officer to contact the Pebblebed Heaths Site Manager.

4.2 Advisory note on trails

The finalised advisory note on trails had been sent to the Public Rights of Way Manager who thanked the Forum for its hard work. Some aspects were aspirational but it was a helpful document in terms of policy development.

4.3 Annual Report

The Annual Report had been published on the Devon Countryside Access Forum website.

5. Correspondence log

The correspondence log was noted. The Forum's position statements on Neighbourhood Plans and Disability Access were useful in responding to Neighbourhood Plan consultations. Occasionally additional comments were made, such as a request to include a public rights of way map.

6. Public Questions

The Chair welcomed Philip Hackett, British Horse Society Access Field Officer South West, to the meeting.

Mr Hackett expressed the need for trails in the County to be opened up retrospectively for horses as soon as possible to get horses off-road. Sustrans policy was to remove barriers to multi-use. The multi-use trail in Cornwall, the Camel Trail, was successful and used by 400,000 visitors a year. He was particularly

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interested in access on the Tarka Trail from Bideford to Fremington Quay and Torrington. There was evidence of rider use but riders would like to use the route legitimately and would avoid busy times. His view was that this would save lives and money and create benefits for tourism and the economy.

It was noted the British Horse Society's 'Dead Slow' campaign had been supported by Devon County Council's Cabinet, following a motion by Cllr Hannaford.

Mr Hackett asked whether the Devon Countryside Access Forum could examine the DCC policy of multi-use and urge the Council to conform to its own policy on multi-use and give retrospective rights? He had lobbied the Leader of Devon County Council, Cllr Hart, on this point when he attended Torridge District Council's Area Advisory Group Meeting in December.

Ros Mills, Public Rights of Way Manager, explained that the Countryside and Rights of Way Act 2000 established both local access forums and rights of way improvement plans. The DCC Rights of Way Improvement Plan was revised in 2012 and linked to the Devon Transport Plan. In this context, all vulnerable users, including horse riders, were considered in the use of new multi-use trails. The Forum did a lot of initial work in assisting with this. The audit trail required an examination of design, safety, connectivity and other factors. As a result, horse riders were permitted on the new Wray Valley Trail. The aspiration in the long term would be to look at existing routes.

It was noted that there are other potential new users of routes, such as electric bikes and scooters.

In answer to a question about horse poo, Mr Hackett said that this degraded quickly.

Whilst there was no issue in principle, members recognised there were practical limits in certain places. There were responsibilities on all users to recognise implications for others.

It was noted that there were some locations where landowners had granted permissive use but excluded horse riders.

Whilst the British Horse Society and Pony Clubs offer proficiency tests, Mr Hackett thought it an unwise move to insist on these to ride trails as cyclists did not have to do so.

Information was requested on the length of trails in the County where horses were not permitted and how many new routes did not permit horses.

It was noted that more women ride, and that it may be a gender equality issue that needed to be considered.

Whilst multi-use was the preferred option, it was agreed that retrospective use was slower and more problematic to achieve. When asked whether the BHS could identify quick wins, Mr Hackett said it had to be across the board to achieve progress. A safety audit would identify any issues such as parapet heights, visibility and other constraints.

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Ros Mills, Public Rights of Way Manager affirmed that many trails used public roads and legally defined bridleways which were historic and statutory routes and there was no say in the design. When new routes are built there was a design and safety audit. The development of routes was a very slow process requiring landowner agreement and funding. It was confirmed that no routes are owned or managed by Sustrans in Devon but they were built and designed by DCC to Sustrans, Department for Transport and other professional standards. Sustrans volunteers were helpful in looking after routes. It would be possible to use Sustrans risk assessments and DCC risk assessments on legacy routes plus the Forum's best practice. With the Camel Trail, Cornwall Council owned all the land and could make decisions.

Ros Mills said many of the legacy routes had caveats and agreements and looking into those would be part of any review. This was why a blanket approach was not possible. Routes also had to meet current standards. Whilst welcoming the involvement of the BHS on safety audits, Ros Mills, Public Rights of Way Manager, said that unfortunately the team did not have the time or resources to dedicate an officer to assist with this process at the current time.

Although bylaws could be put on the off-road trail network, the Council currently would not wish to do this.

It was noted the disabled ramblers' was going through a similar process and securing piecemeal improvements over time, despite the principle of accessibility.

Ros Mills, PROW Manager, said further information on horse incident statistics on roads had been presented to Devon County Council's Cabinet meeting earlier in January. She confirmed the unclassified, unsurfaced county road network (uUCR), and connectivity between parishes in the context of a review of off-road trails, would be tied into the DCC carbon plan.

The DCAF agreed to write to reinforce its position on multi-use trails and the RoWIP policy, the importance of funding to look at these routes retrospectively, and how people valued outdoor space during lockdown. Equality and aspirations for zero carbon were additional considerations.

Action: Forum officer to send round draft for approval.

7. British Horse Society and Council Local Cycling and Walking Infrastructure Plans

It was agreed that the Devon Countryside Access Forum would endorse the BHS request that horses should be considered in the context of Local Cycling and Walking Infrastructure Plans. It was resolved to write to Devon County Council.

Action: Forum Officer to circulate draft.

8. Public Rights of Way update

Jo Burgess reported that she had recorded a public rights of way defect on the online system and had been impressed with the quick response.

Ros Mills, Public Rights of Way Manager, gave some general updates:

- 1) The public rights of way network was busy but not quite as much as in the first lockdown. Routes were being resurfaced and sides cut back to facilitate use.
- 2) A press release had been sent out, following discussions with the NFU, about lambing and livestock. The website had been updated with this information.
- 3) Some sections of the England Coast Path had been approved between Cremyll and Kingswear and Combe Martin and Marsland Mouth. The team was assessing requirements and bidding for funding from Natural England for infrastructure.
- 4) Steve Gardner, Senior Officer, had not had time to do further work on the Pegasus Way. He was working on bridge installation in and around Colyton following decisions by the Planning Inspectorate.
- 5) Over fifty small contractors, spread across the County, had submitted tenders to be part of the Public Rights of Way Framework Contract from 1 April 2021.
- 6) Due to COVID-19 there had been some supply issues with materials and some prices had increased by 8%.
- 7) Capital budgets for 2021/22 were satisfactory but revenue budgets would be more of a challenge.
- 8) The Country Parks had been very popular during coronavirus. Stover had its Heritage Lottery Fund delivery team in place and Gary Prescod, Project Officer, could do a presentation to the DCAF at a future meeting.

Helen Clayton, Senior Officer, Public Rights of Way, gave the Legal and Development update:

- a) COVID-19 had impacted on the Legal and Development team. Consultations had been suspended to ensure people did not travel to look at proposals. Record Offices were also closed which could prejudice staff and others wishing to research routes.
- b) The Public Rights of Way Committee would be in March and the first virtual meeting had been held in November.
- c) Formal working parties by P3 groups had been suspended.
- d) A virtual Planning Inquiry, planned for February, had been postponed until June. The Planning Inspectorate would be holding some blended inquiries, partly virtual and partly at a venue, which might have implications for how local inquiries can be.
- e) Contact had been made with the coordinator of the Ramblers 'Don't Lose Your Way' project, Jack Cornish. He had acknowledged that not all the ways identified by comparing old and modern maps will have evidence. Their next steps would be to carry out checks to identify old paths legally diverted or extinguished, routes on the list of streets and those previously considered through parish reviews. Routes of benefit to communities will then be prioritised for further research. Mr Cornish had offered to speak at a DCAF meeting.

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Ros Mills said the uUCR network was taking up a lot of resources but it offered potential to help deliver the carbon plan.

In answer to a question about Brexit, Ros Mills said the new Environmental Land Management Scheme was trying to cover income previously received by farmers from the EU.

The National Farmers Union and Country Land and Business Association had tried to promote prospective new legislation on diverting paths. It was understood that this had not gone forward for legislation. Under the proposals, the definitive line had to stay open and the landowner was liable for the temporary route which did not reduce risk. The chances of legislative time were slim currently.

It was suggested and agreed that an agenda item on uUCRs would be useful at the next meeting to cover signage, maintenance, monitoring and extent. Chris Cole (member of the TRF) said members of the Trail Riders' Fellowship were available to assist with maintenance, when permitted, and was thanked by Ros Mills for the work they had previously undertaken to make such routes available for all users.

Action: Forum Officer to prepare agenda paper on uUCRs for the April meeting.

Cllr Philip Sanders had attended a meeting with the National Park, National Trust, Duchy of Cornwall and others and it had been noted that users were spreading out over moorland paths to avoid mud. Ros Mills confirmed this had been noticed on the urban fringe where paths had become very eroded. Although this could be managed with temporary closures this would be detrimental to local exercise and health and wellbeing. This matter had been raised in a BBC news item.

The Chair requested any thoughts on this for the next meeting.

Action: Members

9. Ludwell Valley Park

The agenda paper described the background to this park, managed for Exeter City Council by the Devon Wildlife Trust. A small working group had visited the park in September 2020, abiding by COVID-19 rules at the time.

The starting point for the submission to the DWT was more accessible and meaningful routes. The main problem for disability users was the number of kissing gates, narrow or small steps and steep hills. Large vehicle gates on the site were padlocked and used by agricultural machinery. The site was grazed at certain times so had to be secure.

The top ridge presented a useful starting point with access to Pynes Hill. Ludwell Lane was rather more complex. The DWT was amenable to doing what it could within limitations of funding and staff resources.

The site also presented obstacles to pushchairs and cycles. A cycle route could link Southbrook area to Pynes Hill commercial area and beyond to Topsham, provided there was no conflict with grazing cattle and no urbanised surfacing. Although there

was a Traffic Regulation Order on Ludwell Lane this was not traffic free as housing was on the road.

The DCAF working group did not walk by the playing fields but Gordon Guest suggested that a kissing gate at the end of the footbridge could be a priority to allow a pleasant stream walk. Gates could be opened off Ludwell Lane, particularly if there were no stock issues.

It was agreed to respond with priorities for the top ridge and bottom area and advise that disability access should be looked at on other DWT sites in the City.

It was noted that Southbrook School and the West of England School and College were on the boundary of the park and improved access would also assist access for their pupils.

Action: Forum Officer to circulate draft.

10. Disability Access Position Statement

The revised Disability Access Position Statement was approved.

Action: Forum Officer to put the new version on the DCAF website.

11. To note and approve responses to consultations

Two working groups had been held during the Autumn to discuss draft responses to items 11.2, 11.4, 11.5 and 11.6

11.1 Marsh Barton Railway Station

The response was noted and approved.

The application had been approved by Devon County Council with delegated decision on 1 December. Conditions included submission of detailed to scale drawings of the pedestrian and cycle path, junctions and crossing points.

The large number of people using Clapperbrook Lane was re-emphasised.

11.2 Planning for the Future

The response was noted and approved.

It was noted that The Rt Hon Robert Jenrick, Secretary of State for Housing Communities and Local Government, had subsequently abandoned the algorithm used in the consultation to thus allow an increase in housebuilding in urban areas.

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11.3 Review of the Highway Code

The response was noted and approved.

11.4 Lower Otter Valley planning application

The response was noted and approved.

The scheme has been approved by the East Devon District Council Planning Committee on 6 January. The DCAF's comments were included as part of the Committee report.

Conditions, prior to development, included submission of an access scheme for approval, in liaison with the Devon County Council Public Rights of Way team. This would include provision for the design of public rights of way routes including surfacing, widths, levels, gradients, landscaping, structures and any road crossing points.

Detailed plans of the proposed car park and a timetable for the phasing of the works for the removal of the existing car parking spaces and the delivery of the new car park would have to be submitted to and approved in writing by the Local Planning Authority. This included a minimum of 40 car parking spaces and 10 cycle parking spaces with associated facilities. The original application was for 30 parking spaces.

Planning approval meant work on the project could start shortly and be completed in 2023. The Lower Otter Restoration Project was part of a wider Project PACCo – Promoting Adaptation to Changing Coasts – which will receive €17.8m from the Interreg VA France (Channel) England programme.

Some of the Forum's comments had been taken into consideration. Concern was expressed about tidal flooding on public rights of way and the proposed sanctuaries for access users during periods of flooding. The Forum agreed that this should be monitored and requested regular updates from the Public Rights of Way team.

Action: Forum Officer to include project update for next meeting.

11.5 Teign Estuary Trail

The response was noted and approved.

Devon County Council, following consideration of consultation responses, hoped to put in a planning application in the spring/summer 2021.

11.6 Clyst Valley Regional Park Masterplan

The response was noted and approved.

The Masterplan raised many questions and it was agreed to monitor its progress. The consultation had triggered a very large number of responses.

12. Current consultations

12.1 Countryside Code update, Natural England

A discussion took place on the Countryside Code refresh.

One of the questions related to knowledge of the Countryside Code and a poll of members revealed differing levels of knowledge. It was agreed that the Code was not particularly well-known.

Members discussed the strapline Respect-Protect-Enjoy. There was concern that people did not necessarily know what they should respect and words had different connotations for people. The term 'right to roam' had, inaccurately, been taken up as meaning a right to walk where people wanted. One landowning member gave instances of stock worrying. There was also a possibility people might prioritise enjoy over respect. Members were not convinced that the strapline in its current form had value.

The existing short and long codes were not particularly easy to read or absorb and it was agreed clear and consistent messages were essential. There was a lot of ignorance about the Countryside Code and there needed to be a way of getting information across to people, such as the earlier successful collaboration with Aardman Animations.

The issue was how people were educated about the Code and how it was promoted. It was not possible to capture everything without making the Code too long. A Code that could be included in schools as an aspect of citizenship and which allowed simple straightforward conversations was necessary. This process was not included in the survey.

Cllr Sanders confirmed that as an assessor for Duke of Edinburgh expeditions, children were aware of the key points of the 1981 Code and their importance.

A short direct simple code could be affixed to a post or available on a mobile device, making it clear what people could do.

There was a feeling that outcomes had already been decided but that how to communicate the code had not been covered. It was difficult to feed into the consultation. Some things were open to interpretation, for example 'leave all gates as you found them' may not be the best advice if someone earlier had left a gate open.

There was a concern about stereotyping, for example comments that new people coming into the countryside due to coronavirus were causing a problem.

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The new Code needed to be much more targeted and focussed and engage with people in a powerful way. It was agreed the short messages of the 1981 Country Code were better.

It was resolved to send Natural England some general comments.

Action: Forum Officer to circulate draft.

12.2 Parks and Green Spaces, Exeter City Council

A brief discussion took place on the Parks and Green Spaces strategy. It was agreed the aims and actions were laudable and should be supported.

Additional points to be raised were:

- The importance of working across authority boundaries, especially in relation to planned housing developments and the need to create and improve green space;
- the need for a specific aim and action on mobility scooter accessibility;
- inclusion of the Devon Countryside Access Forum as an organisation the City Council could work with, as well as a continuation of public engagement; and
- to query where the Hoopern Valley sat in the strategy as it did not appear to be included.

The informative short videos on the Valley Parks produced by the Devon Wildlife Trust, as mentioned in the January DCAF newsletter, were commended.

Action: Forum Officer to draft response and circulate.

12.3 Devon Interim Carbon Plan

It was agreed that the outcomes and actions were laudable and it was resolved to send a letter supporting the Plan.

It was noted that people feeling safe in their space had not been included and would be added to the response.

A comment was made about the number of delivery vehicles on the road but this was not within the Forum's remit.

Action: Forum Officer to circulate draft response.

13. Dates of meetings 2021/2022

Dates for meetings in 2021/2022 were agreed. These would be at 10.00 a.m. on:

Tuesday, 27 April (virtual);
Tuesday, 21 September; and
Tuesday, 18 January 2022.

14. Recruitment and appointments to the Devon Countryside Access Forum

Devon County Council had suspended recruitment in 2020 due to the pandemic. Andrew Baker and Sue Pudduck would reach the end of their three-year term at the end of March 2021. The Chair was pleased to announce that both had been offered and accepted a further term.

15. Any other business

1. England Coast Path

The Secretary of State for Environment, Food and Rural Affairs, had approved some sections of the England Coast Path between Combe Martin and Marsland Mouth and Cremyll and Kingswear. The decision had arrived too late to include with agenda papers but the Forum Officer had let members have a briefing note. This would be on the agenda for the next meeting.

It was noted that it was disappointing little notice had been made of the Forum comments, particularly in relation to ferries. However, some stretches had not yet been determined, for example the River Erme section.



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Mr J Hulland
Transportation Strategy and Road Safety Manager
Planning Transportation and Environment
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EX2 4QD

26 February 2021

Dear Mr Hulland

Local Cycling and Walking Infrastructure Plans

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the forum has a statutory function to give advice, one of which is councils.

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

The Devon Countryside Access Forum met on 21 January. At that meeting Philip Hackett, British Horse Society Access Field Officer SW, expressed concern that horses were not legally permitted to ride across the whole trail network in Devon. The Forum had also received sight of the email from Mark Weston, Access Officer at the BHS, who highlighted the need to include equestrians in any Local Cycling and Walking Infrastructure Plans and off-road routes. We understand you have received this email.

The Forum would like to re-emphasise its commitment to multi-use, as included in the Devon Rights of Way Improvement Plan policies, and advises that Devon County Council should seek to include horse-riders in Local Cycling and Walking Infrastructure Plans. This would contribute to equestrian safety, particularly in view of recently

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reported figures on horse related traffic accidents which DCC's Cabinet recently discussed. [DCC Cabinet 13.01.21](#) (British Horse Society Motion – Dead Slow Campaign, Item 615, g)

The Forum would welcome feedback on this matter.

If you require any further information, please do not hesitate to contact me.

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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Mr J Hulland
Transportation Strategy and Road Safety Manager
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1 March 2021

Dear Mr Hulland

Multi-use of trails

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the forum has a statutory function to give advice, one of which is councils.

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

Over the years the Devon Countryside Access Forum has supported and promoted a policy of multi-use whereby routes are assessed to see whether equestrians can be accommodated. The Forum is aware this is part of the process for new routes that are currently being designed and developed, such as the Wray Trail.

The British Horse Society, Access Field Officer SW, Philip Hackett, made a representation to the Forum at its meeting on 21 January, expressing concern that equestrians still had no legal access to much of the existing trail network.

The principle of multi-use remains, and the Devon Countryside Access Forum wishes to reaffirm its commitment to this policy which is incorporated in the Devon Rights of Way

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Improvement Plan 2012, a statutory document. **Policy CY3B states 'A review of existing cycle routes will be undertaken to see if multi-use is appropriate.'** Whilst the Forum recognises the time and financial constraints in examining whether the existing network meets current standards for equestrian use and any legal impediment to that use, steps which Devon County Council can take to expedite this process would be most helpful. Well-reported statistics on horse traffic incidents and growth of road traffic mean that horse-riders are understandably seeking safe off-road routes. During coronavirus, horse-riding is an activity that recreational access users can engage in and, where trails are local, horse use as a form of sustainable transport can contribute to aspirations for a reduced carbon footprint.

If funding can be found to assess these routes, the British Horse Society would be able to contribute time in helping to carry out safety audits.

The Forum would welcome feedback on this matter.

If you require any further information, please do not hesitate to contact me.

Yours sincerely



Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

Chair: Sarah Slade

Vice Chair: Chris Cole

Planning, Transportation and Environment

Hilary Winter
Devon Countryside Access Forum
(by email)

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Tel:01392 383000
Email: jamie.hulland@devon.gov.uk

Date: 12 April 2021

Dear Hilary,

Re: Local Cycling and Walking Infrastructure Plans and Multi-Use of Trails

Thank you for your letters dated 26th February and 1st March in respect of the above. I have pleasure in responding to the points raised.

Local Cycling and Walking Infrastructure Plans (26th February 2021)

In respect of the request to include horse-riders in Local Cycling and Walking Infrastructure Plans (LCWIPs), the County Council will be guided by the Department for Transport's technical guidance for local authorities. Paragraph 2.19 of the guidance states that:

"The needs of equestrians may also need to be borne in mind where they have access; for example, regarding the width of off-carriageway routes, the arrangement of road crossings and differing surfacing standards".

Local Transport Note 1/20: Cycle Infrastructure Design Guide has also recently been published and sets out principles for inclusive design of cycle infrastructure but with recommendations for how to consider needs of horse-riders, i.e. through the use of DMRB GG 142 (formerly HD 42/17) Walking, Cycling & Horse-Riding Assessment and Review.

Over the next 12 months, we will be refreshing our Cycling and Multi-Use Trail Network Strategy, with the need to bring the plan more in line with LCWIP expectations and latest Government guidance. It is an opportunity for us to update our approach and we will commit to producing a checklist to assist our designers in the development of our infrastructure, for instance, considering what the demand may be for equestrian use (as well as by other users), its appropriateness for such use and therefore what design considerations may be necessary, e.g. headroom, structural and surfacing requirements.

Multi-use of Trails (1st March 2021)

The County Council notes the request to review existing cycle routes to see if multi-use is appropriate in accordance with policy CY3B of the Devon Rights of Way Improvement Plan 2012 (ROWIP). At the time of publishing the ROWIP, the County Council had designed, audited and delivered several routes according to the prevailing guidance at the time. We therefore recognise that not all of the routes are suitable for horse-riders.

Since the ROWIP's publication there have been notable efforts to create opportunities for equestrian use on a number of trails, including parts of the Granite Way, the Tarka Trail, the Pegasus Way

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(between Meldon and Cookworthy Forest) and most recently the Wray Valley Trail, which ensured safe passage for horses over the A38. Many of these routes have proven popular with horse-riders.

Unfortunately, at the current time there is no available funding or resource to investigate the historic infrastructure and the various complex legal definitions and different rules in place for pedestrians, cyclists and people on horseback using it. It would also be a significant cost to determine what retrospective engineering may be required to make such routes suitable for equestrian use and there are no current plans to evaluate this.

That said, as described above, the refresh of the Cycling and Multi-Use Strategy provides the opportunity to formalise the County Council's approach to developing its leisure trail network with consideration of use by the widest range of users, including cyclists, pedestrians, people with buggies, wheelchairs and mobility scooters, and equestrians.

I hope this is a helpful response to your letters.

Yours sincerely,



Jamie Hlland
Transportation Strategy and Road Safety Manager

Horse-riding access statistics in Devon – April 2021

These linear routes and land offer opportunities for horse-riders to enjoy riding off-road in the County. Connections between the different types of access provide longer or circular routes.

Recreational trails

Horse riders have access to parts of the recreational trail network in Devon. Information provided in order of length.

- Pegasus Way - 15 miles
- Tarka Trail - Meeth to Servis Farm, Great Torrington - 9 miles (via Little Torrington Bridleway 1 or Frithelstock Bridleway 2 - 11 miles)
- Wray Valley Trail - 7 miles and Stover Trails - 3.5 miles
- Granite Way - Granite Way - 2 sections Prewley to Lake and Southerly Down Sourton Bridleway 12 to Lydford - 4 miles
- Holsworthy (Windmill Road to Hollacombe) - 3.5 miles
- Exe Estuary Trail (Starcross) - 1.5 miles
- Okehampton (Fatherford) Granite & Gears project - 1 mile
- Drakes Trail (connection to Mary Tavy) - 0.62 miles
- Knowle link (Castle Lane) - 0.3 miles
- Bratton Fleming (NCN3) at Ditch End Cross - 0.14 miles

Total length of recreational trail accessible to horses – 47 miles approximately

Public rights of way

- Bridleways – 256.11 miles
- Restricted byways – 20.31 miles
- BOATs (byways open to all traffic) – 49.81 miles

Total public rights of way accessible to horses – 362.23 miles

Unsurfaced, unclassified County roads

These roads are not used by normal vehicular traffic but might be used by off-riders or farm vehicles.

Total length of uUCRs accessible to horses – 365 miles

Note that all public carriageways are also available except those with legal restrictions e.g. motorways.

Other access – not quantifiable

- Permissive access routes by permission of the landowner e.g. Clinton Devon Estates on the Pebblebed Heaths and the National Trust at several locations including Killerton.
- Forestry Commission woods and forests, some with waymarked horse trails and designated de-boxing car parks.
- Common Land on Dartmoor. The right to ride on the commons was established under the Dartmoor Commons Act 1985.

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

	Sender	Subject	Action and any feedback
1	Milton Abbot, Chillaton and Kelly Neighbourhood Plan 07.01.21	Regulation 14 public consultation on the draft Neighbourhood Plan.	Discussed with Chair and sent Neighbourhood Plan and Disability Access Position Statements. Also suggested including a map showing public rights of way and the Tamar Discovery Trail.
2	Marine Management Organisation 18.01.21	The South West Marine Plan should be adopted in early 2021 following a period of review by the Department for Environment, Food and Rural Affairs and submission to the Secretary of State. Amendments to the plans have been completed and reflect comments received to the public consultation last year. A Consultation Summary has been produced and published.	For information.
3	Mid Devon District Council 21.01.21	Notice of withdrawal of the draft Community Infrastructure Levy charging schedule from examination, following a Mid Devon District Council meeting and resolution on 6 January 2021. This decision was made in light of the Government consultation proposals to reform the planning system in its White Paper. This includes a proposal to replace the current twin regime of S106 planning obligations and the Community Infrastructure Levy with a consolidated national Infrastructure Levy. With the introduction of a new system the Council could find that, after examination and adoption, the CIL would have a limited lifespan. Little if any CIL money was likely to be paid for the first two years, and	For information.

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		calculations showed that forecast overall developer contributions through both a CIL and S106 planning obligations for open space for example may be about the same as the forecast potential total S106 planning obligations secured without a CIL in place.	
4	East Devon District Council 25.01.21	<p>Farringdon Neighbourhood Plan. The independent examination of the Plan is now complete. The Examiner's Report is now available.</p> <p>The EDDC Cabinet meeting on 3 February 2021 agreed to incorporate all of the Examiner's proposed modifications into the Neighbourhood Plan and for this to be recommended to go forward for referendum.</p>	<p>The Devon Countryside Access Forum advised that public rights of way should be included as part of wider links in the policy below.</p> <p>Page 35 Policy Farr12 Walking and Cycling Routes</p> <p><i>“Development proposals to improve accessibility and extend local footpaths, bridleways and cycle-paths and strengthen links with the wider transport network will be supported.”</i></p> <p>The Inspector made the following modification.</p> <p>Modify the second part of the policy to read: <i>and strengthen links with the wider transport and public rights of way networks, will be supported.</i></p>
5	Devon County Council Planning 2.02.21	To advise the DCAF that the planning application to extend the Tarka Trail from Friar's Hele towards Hatherleigh (DCC/3884/2016) had been withdrawn. The applicant (DCC) has commissioned ecological surveys of the woodland in the light of its designation as 'Ancient Woodland'.	No action. The DCAF will be notified of developments and any revised planning application.
6	Defra 3.02.21	Defra Access and Inclusivity consultation for National Outdoors for All Working Group. Informal survey.	Sent Disability Access position statement. Chair attended workshop and will report as agenda item.

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7	Member of public 4.02.21	Email regarding disability access on specific footpaths in Mid Devon.	Referred to Senior Officer in the Public Rights of Way team to respond.
8	Mid Devon District Council 8.02.21	Mid Devon Housing and Economic Land Availability Assessment – Call for Sites.	Outside the DCAF's remit.
9	East Devon District Council 15.02.21	East Devon Local Plan – Issues and Options.	Discussed with Chair and sent Planning, Greenspace and Disability Access position statements.
10	Member of public 23.02.21	Seeking information on newtake boundaries on Dartmoor.	Made enquiries and referred person to Dartmoor National Park.
11	Land Charges DCC 3.03.21	Two applications received under Section 11 of the Commons Act 2006 for the re-allocation of attached rights of common.	For information. No action required.
12	Parish Councillor 15.03.21	Query concerning disabled access to recreation field.	Sent Disability Access position statement and link to Disabled Ramblers' website.
13	Member of public 6.04.21	Query about rights to walk on the foreshore at Teignmouth.	Forwarded to Public Rights of Way team to respond.
14	Luppitt Parish Council 6.04.21	Luppitt Parish Neighbourhood Plan – Regulation 14 Pre-submission consultation.	Consulted with Chair and sent Neighbourhood Plan Position Statement. Inclusion of a map of public rights of way and open access land was suggested.

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.

England Coast Path

For detailed information see

[England Coast Path in the south west of England - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

England Coast Path in Devon

Combe Martin to Marsland Mouth; Cremyll to Kingswear and Kingswear to Lyme Regis stretches

Secretary of State's decisions

On 13 January 2021, the Secretary of State's Decision Notices on the stretches from Combe Martin to Marsland Mouth and Cremyll to Kingswear were received. There is partial approval as some sections of those routes are not yet determined.

The Decision Notice for Kingswear to Lyme Regis in full was received on 18 March 2021 following Planning Inspectorate decisions on some objections.

The right of access to the approved stretch of coast does not come into effect at this stage. Natural England will be working with the local authority to establish any infrastructure works before an Order is made by the Secretary of State under the 2009 Act to bring the rights into effect. The existing South West Coast Path trail remains open.

The Notice by the Secretary of State and the accompanying coastal access report with Natural England's comments detail the responses to all representations made by individuals, organisations and landowners and occupiers. The formal objections made by landowners and occupiers are dealt with separately.

Secretary of State's responses to the Devon Countryside Access Forum's representations

This summary includes just the comments on the Forum's representations and particularly pertinent issues. There are full reports on all the representations from interested parties and these are available on the weblink above.

Responses to general DCAF's representations on the Combe Martin to Marsland Mouth and Cremyll to Kingswear sections

1. Complex roll-back

The Devon Countryside Access Forum notes the significant number of more complex rollback locations which have been identified in the reports. There is concern that there is no limit to how far inland roll-back might apply, given excepted land and environmental obligations. The Forum agrees that simple roll-back should take place. The Devon Countryside Access Forum advises that it does not seem appropriate for roll-back to take place in the complex situations cited in the reports. Roll-back does not provide any statutory process for consultation, and could impact on landowners hitherto unaware that their land could be affected

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The Devon Countryside Access Forum advises that it would be more appropriate to publish variation reports in these instances to formally allow landowners and others, such as the DCAF, to make objection or representation.

Natural England's comments

In our published Overview document we explain that ordinarily, where roll-back has been proposed and becomes necessary, we would expect the trail to be adjusted to follow the current feature (for example, the cliff edge or top of foreshore). Where we foresee that local circumstances will require more detailed consideration, we provided further information about the situation in the relevant report. We call this 'complex rollback'; such situations may include where the trail can't roll back in the normal way because of an obstruction, excepted land or because of environmental considerations. We have taken and will continue to take all reasonable steps to discuss implications and options with all parties likely to be affected by such changes, both during the initial planning work that preceded the writing of the reports for each length, and during any future work to plan and implement a 'rolled back' route.

Secretary of State's conclusion and observation

Secretary of State notes roll back is an important feature of the England Coast Path which will ensure continuity of the trail along eroding sections of coastline. Welcomes Natural England's engagement with those likely to be affected and expects Natural England to honour the commitment to consult fully with all affected parties before implementing complex roll back in future.

2. Signage and waymarking

The Devon Countryside Access Forum expects, as part of the implementation process, that signage and way-marking will be clear, especially at points of decision where paths may go in different directions. Signage should reflect the nature of the path and be appropriate to the landscape to avoid sign clutter or urbanisation. Users should be encouraged to have maps available, especially away from residential areas.

Natural England's comments

We welcome the positive engagement from Devon Countryside Access Forum (DCAF) during the development of our proposals. As part of the implementation process we, together with the relevant access authority, will ensure that signage is clear and appropriate, particularly at junctions.

Secretary of State's conclusion and observation

Secretary of State encourages Natural England's commitment to work with the access authority in making sure signage is clear and appropriate.

3. Disability access

The Devon Countryside Access Forum is aware that many sections of the coast path include man-made obstacles such as path furniture (stiles, steps and gate design), narrow chicanes or lack of drop kerbs which make access difficult for people with limited mobility. There are other instances where upgrades to path

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surface, width or drainage could make access easier. The Forum advises that Natural England considers this in implementing the England Coast Path in Devon and works with land managers and other partners to secure improvements. It may be possible to identify particular stretches of path where the gains to access would be most beneficial. While the Forum recognises that issues of topography might make accessing some areas challenging, there are often many simple actions which can be taken to improve access for disabled people.

To give an example, the kerb in this photo (supplied) on the existing South West Coast Path makes access through the gate difficult but could be replaced at modest cost with a ramp.

(The Disabled Ramblers' made detailed comments on all sections with photographs)

Natural England's comments

After the publication of our proposals we had discussions with the Disabled Ramblers who raised issues at a number of locations in relation to steps, gates (either being too narrow or only opening in one direction) and other artificial obstructions that make access by buggy, Trumper and other similar vehicles difficult if not impossible. In some of our reports ... we have identified locations where we have agreed to replace or install new infrastructure to improve access.

Where the Disabled Ramblers have identified additional locations where they consider accessibility can be improved/modified, we will discuss their suggestions with the access authority and the landowners. Should these suggestions be workable/appropriate, we would agree who would fund such work (whether it is the access authority or Natural England). A separate central government contribution is made annually to the South West Coast Path National Trail Partnership which is available to help with the costs of replacing infrastructure such as gates if the access authority agrees they are necessary.

Because of current access restrictions (relating to lockdown restrictions and site visits), it may not be possible to agree specific new projects until the establishment phase of the process.

Secretary of State's conclusion and observation

Secretary of State encourages Natural England to continue working with the access authority, Disabled Ramblers, landowners and other interested parties to improve the accessibility of the trail where possible.

Combe Martin to Marsland Mouth

The Secretary of State has decided to approve the proposals regarding CMM1 to CMM3, CMM5 to CMM7, CMM9, CMM10 and his decision is outlined in the notice which is available at <https://www.gov.uk/government/publications/coastal-access-section-52-notice-for-combe-martin-to-marsland-mouth>. The Natural England Report is on [Coastal Access – Cremyll to Kingswear lengths \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

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Parts of the route not yet determined are CMM4 – Cock Rock, Croyde to Velator and CMM8 – Kipling Tors, Westward Ho! to Barton Wood.

a) Length Report and route section(s):

Length Report 1, CMM-1-S025 Watermouth Castle to the Warren

Length Report 1, map CMM 1d Lantern Hill

Length Report 2, CMM-2-S012 to CMM-2-S013 Shag Point

Length Report 2, CMM-2-S035 to CMM-2-S041 Morteheo

Length Report 10, CMM-10-S021 Dyer's Lookout

Secretary of State's conclusion and observation

Secretary of State welcomes the DCAF's support for Natural England's proposals.

b) Length Report and route section(s): CMM-5-S007 Barnstaple

Although Natural England is proposing a route over the first crossing point of the river, CMM5S007, in accordance with the legislation, the Devon Countryside Access Forum recognises the economic importance of signing walkers to Barnstaple and advises that appropriate and detailed signs to amenities and the town are installed. Length Report 5, CMM-5-S007 Barnstaple.

Natural England's comments

We welcome the positive engagement from Devon Countryside Access Forum during the development of our proposals and the supportive comments expressed in their representation. At the junction of route sections CMM-5-S005 and CMM-5-S006, the proposed England Coast Path and the 'Barnstaple' section of the current South West Coast Path (SWCP) will formally diverge – as explained in paragraph 5.2.5 of Length Report CMM 5.

We can confirm that appropriate signage will be used to advise walkers that they can continue to follow the SWCP to access the amenities available in Barnstaple.

Secretary of State's conclusion and observation

Secretary of State welcomes Natural England's proposal to include appropriate signage informing walkers of the retained South West Coast Path route into Barnstaple.

Additional matters of interest

c) Home Farm Marsh – The Gaia Trust. Dog exclusion.

Maps CMM6c and CMM6d Route sections on or adjacent to the land: Section CMM-6-S006

Home Farm Marsh is owned by the Gaia Trust and managed as a nature reserve. Its key focus is to create a safe haven for winter roosting ducks and waders as well as for ground nesting birds. As part of the management of the reserve, the Gaia Trust have for a number of years imposed a 'no dogs' policy. All six representations supported the proposal to restrict access to Home Farm Marsh by means of a direction under section 26(3)(a) of the Countryside and Rights of Way Act (2000). Under this direction access to the land in the coastal margin adjacent to route section CMM-6S006 is to be excluded for people with dogs (except assistance dogs) all year round in order to prevent disturbance to birds.

Cremyll to Kingswear

The Secretary of State has decided to approve the proposals regarding CKW2 to CKW4, CKW6 to CKW8 and his decision is outlined in the notice which is available at <https://www.gov.uk/government/publications/coastal-access-section-52-notice-for-cremyll-to-kingswear> The Natural England report is on [Coastal Access – Cremyll to Kingswear lengths \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Parts of the route not yet determined are CKW1 – Cremyll to Mount Batten, CKW5 – Mothecombe Beach to the Avon Estuary (this includes the Erme Estuary) and CKW9 – Torcross to Kingswear.

d) Length Report and route section(s): ferries

The Devon Countryside Access Forum advises that comprehensive information about ferries and alternative options should be available to assist people undertaking a long-distance walk.

Natural England's comments

As part of the implementation process we, together with the access authority and the South West Coast Path Association, will seek to ensure that information about ferries and alternative options will be available to assist people using the coast path and those undertaking long distance walks. Our reports include an estimate of the capital costs for physical establishment of the new trail and one element of the overall cost for report CKW2 is for a number of new signs and information boards which would be needed on the trail particularly at the start and end points of the alternative route around the Yealm Estuary.

Secretary of State's conclusion and observation

Length reports 3 to 9 (note Secretary of State's observations pertain to lengths CKW2 to CKW4 and CKW6 to CKW8 only)

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Secretary of State welcomes Natural England's commitment to provide information on ferries and alternative routes to walkers and encourages that all additional signs and information boards are appropriately designed.

e) Length report 3: Yealm Estuary

The use of the ferry crossing is supported. However, the Devon Countryside Access Forum is disappointed that Natural England has not been able to take the alternative route closer to the estuary. It recommends that Natural England explore the potential of increasing the ferry service, for example at weekends in the winter.

Natural England's comments

We welcome the positive engagement from Devon Countryside Access Forum during the development of our proposals. In developing our proposals we considered in detail a number of other options for the Yealm Estuary, as set out in section 5g of the Overview document and in table 3.3.2 of report CKW3. Our proposal is for the 'ordinary' route of the England Coast Path to incorporate the ferry crossing and an 'alternative' route will be in place for when the ferry is not running.

The proposed alternative route will make use of existing public highways, an existing walked permissive route and rights of way including parts of the Erme-Plym Trail. It would extend to Wapplewell, Brixton and Yealmpton which are the first public foot crossings over the River Yealm and its tributaries. We looked at a number of options for the alternative route including: aligning through Wembury Wood and then along a permissive path through Hollacombe Woods; and using the network of lanes nearest the Yealm between the A379, Puslinch Bridge, past Wrescombe and Newton Downs and then down Parsonage Road and Bridgend Hill. The reasons for not proposing these options are set out in table 3.3.2 of report CKW3. Our proposed alternative route uses those existing walked routes located closest to the estuary, even though in places it is quite a considerable distance from it. However even if the path was close to the estuary in many places the woody vegetation along much of the banks is such that even when only a few metres away from the estuary, the views of it are minimal.

We note the point raised by the Devon Countryside Access Forum about exploring the potential for increasing the hours of operation of the ferry service. The ferry across the mouth of the Yealm estuary between Warren Cottage and Ferry Wood operates a seasonal service from 1st April until 30th September and runs every day between 10 am and 4 pm. Service may be restricted to the core hours of 10 am to 12 noon and 3 pm to 4 pm each day, during bad weather or quieter times. The ferry is run as a commercial operation and we judged its availability to be adequate to be designated as the ordinary route. Increasing the existing hours of operation beyond this is not considered viable and additional funding is not available to provide for an extension to this service. See Part 5 of the Overview document for a detailed analysis of our decision to use the ferry crossing at the Yealm.

Secretary of State's conclusion and observation

Secretary of State considers that Natural England fully explored other options for the alternative route around the estuary and notes the reasons set out for its proposals. Notes Natural England does not consider extending the operating time of the ferry to be viable.

f) Length report 6, maps 6a to 6e: Avon Estuary

The Devon Countryside Access Forum strongly supports proposals for the Avon Estuary, provided that the anticipated improvements to the ferry service are put in place. The alternative route runs relatively close to the estuary and is the current alternative route for the South West Coast Path.

Natural England's comments

We welcome the positive engagement from the Devon Countryside Access Forum during the development of our proposals.

There is currently a limited seasonal ferry service across the mouth of the estuary between Cockleridge Ham and Bantham. The Bantham Estate has provided assurances that the service is due to increase by the time the coastal access rights commence, to run throughout the year, except on Christmas Day, Boxing Day and during adverse weather conditions. Our proposal is to use our discretion to align the trail to follow the existing South West Coast Path (SWCP) which will utilise the improved ferry service. We will also align an alternative route along the current Avon Estuary Walk around the estuary that users can use when the ferry is not in service, for instance in the evenings and during adverse weather conditions.

We note the point raised by the Devon Countryside Access Forum that the anticipated improvements in the ferry service need to be put in place. The ferry is run as a commercial operation and we judged its availability, particularly with the increased hours of operation, to be adequate for it to form part of the ordinary route of the ECP. However, should the ferry service cease altogether or become less suitable for purpose, Natural England will review its trail alignment and if appropriate, will prepare a separate variation report to the Secretary of State to ensure an uninterrupted journey along the trail.

Secretary of State's conclusion and observation

Secretary of State notes Natural England expects the expanded ferry service to be in place before coastal access rights come into force on this stretch.

Additional matters of interest

g) Representation ID: MCA/CKW2/R/1/CKW2879 – horse riding

Summary of representation: Request that bridleways are added into the plans to allow off road paths for local riders.

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Natural England's comments

Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of, the English coastline by creating clear and consistent public rights along the English coast for open-air recreation on foot. Our proposals do not create any additional rights of access for cyclists or horse-riders above those that already exist. On some sections of coast, existing rights will apply instead of or as well as the coastal access rights. These may include rights to ride horses or other "higher rights". There is also a mechanism within the legislation that allows owners to remove or relax the national restrictions via a direction. This would allow cycling or horse riding to take place on the stretch of the England Coast Path within their ownership. However to date no owners on this stretch have chosen to do this.

h) Directions Map CKW4a route sections CKW-4-S020 to CKW-4-S029. Shooting at Carswell Estate

There is the necessity for a year-round total exclusion in the coastal margin on the Carswell Estate for the following reasons (see paragraphs 4.2.13 & 4.2.14 of report CKW4):

- Disturbance to game during the pre-shoot season
- Disturbance to game during the shoot season
- Disruption to shooting during the shoot season
- Disturbance to released English Grey Partridge between February and August. (Section s24 of the Countryside and Rights of Way Act 2000).

It is not a public safety exclusion.

Kingswear to Lyme Regis

The Secretary of State's Decision Notice is on [Notice by the Secretary of State under section 52 of the National Parks and Access to the Countryside Act 1949: Kingswear to Lyme Regis - GOV.UK \(www.gov.uk\)](#) and the Natural England report is on [Coastal access - Kingswear to Lyme regis: Representations with Natural England's comments \(publishing.service.gov.uk\)](#)

i) Permissive access. Chapters 1-9. Generic comment

Concern was expressed by the Devon Countryside Access Forum that permissive sections of the existing South West Coast Path are being converted to permanent access. This could have a wide-ranging impact on the provision of permissive access more generally if landowners suspect a route is likely to become a public right of way. Natural England is requested to consider this as part of the requirement for there to be a fair balance.

Natural England's comments

Natural England notes the concerns expressed by the DCAF in relation to permissive sections of the route. Under the legislation existing permissive sections of the route would become subject to coastal access rights. However, no additional public rights of way will be created as part of the implementation of

the England Coast Path and there are no wider implications for existing permissive access outside the coastal margin.

Secretary of State's conclusion and observation

Secretary of State notes the representation and Natural England's comments. Welcomes clarification that permissive paths outside of the coastal margin will be unaffected.

(Note: Near Putsborough Sands (Combe Martin to Marsland Mouth stretch), the route of the ECP has been modified to move it off a permissive path onto the adjacent road, following representation by the landowner. The landowner is happy for walkers to continue to use the permissive path but did not wish it formally designated as the coast path).

j) Area of land between Dawlish and Cockwood subject to coastal access exclusion to protect sensitive feeding waterbirds. Exe Estuary land adjacent to the alternative route from Starcross to Exmouth. Chapter 5, KLR-5-S016 to KLR-5-S021 (Map 5d) KLR-5-A057 to KLR-5-A067 (Maps 5p and 5q)

It is vitally important that there is consistency in the provision of information about the exclusion of access between Dawlish Warren and Cockwood. There is currently a byelaw excluding dogs all year round, put in place by Teignbridge District Council. This would imply you could walk in that area without a dog. The DCAF recognises the need for an exclusion on nature conservation grounds but, if this is to be effective, members of the public will need to understand the reasons for a coastal access restriction. Similarly, on the Exmouth side of the Exe Estuary there are proposals, as yet undetermined, from the Exe Estuary Management Partnership for a voluntary exclusion which would include dog walkers and walkers as well as many other types of water and land-based uses. This is to protect bird species under the Habitats Regulations. The area in question is beach and foreshore which is well-used for recreational purposes. Again there is the risk of lack of clarity during times when the alternative route along the Exe Estuary will be used as the seasonal ferry is not running, even though the coastal margin is not included for alternative routes.

Natural England's comments.

The direction under s26(3)(a) of the CROW Act to exclude access year round between Dawlish Warren and Cockwood Harbour has been proposed to protect sensitive bird assemblages on the River Exe. The Exe Estuary Management Partnership is proposing to establish a voluntary exclusion zone on this part of the Exe and through close working with the Partnership and examination of various data we decided to mirror this zone in our proposals. Existing byelaws in this area will remain and will prevail over coastal access rights. We will continue to work with the Partnership to ensure that clarity is provided for walkers and signage in the area clearly reflects the rights afforded to them under coastal access in relation to the excluded area.

There is no coastal margin associated with alternative routes and therefore the land seaward of the trail on the Exmouth side of the Exe Estuary will not be

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subject to coastal access rights. We acknowledge the need for clarity in this area in relation to the rights of walkers and will co-operate with the Partnership over local messaging for users of the route.

Secretary of State's conclusion and observation

Secretary of State notes Natural England's reasoning for the proposed exclusion within the Exe Estuary. Welcomes clarification on the status of the coastal margin in this area.

k) Starcross to Exmouth ferry Chapter 5, KLR-5-S031 (Map 5e)

The DCAF is aware that the crossing from Starcross to Exmouth, using the railway bridge and ferry, which is proposed as the designated route is not suitable for those with limited mobility. Although there is an alternative route along the Exe Estuary this is considerably longer. The DCAF advises that improvements at Starcross would widen access on this section of the England Coast Path.

Natural England's comments

Natural England's intention is that the trail should be as easy to use as possible for disabled people and others with reduced mobility (paragraph 4.3.8 of the Scheme). However we also accept that such opportunities will be constrained by practical limitations. In determining the alignment of the ECP Natural England considered potential improvements to the accessibility of the route. The route to the Starcross Ferry utilises a large metal railway bridge with steps on either side and is inaccessible to anyone with limited mobility. There is no other means of crossing the railway in this area and we were unable to identify suitable improvements that could be made to facilitate access. The alternative route between Starcross and Exmouth follows the existing Exe Estuary Trail. This is a multiuse trail suitable for users with limited mobility. We acknowledge that is a significant additional distance for anyone wanting to continue their journey. During initial consultations interested parties were invited to identify sites where accessibility could be improved and this piece of infrastructure was not raised as an issue.

Secretary of State's conclusion and observation

Secretary of State is satisfied that Natural England explored the possibility of improving accessibility at the bridge over the railway but notes any improvements would not be feasible within the scope of the England Coast Path establishment works.

l) Signage Chapter 5, KLR-5-S016 to KLR-5-S021 and KLR-5-A057 to KLR-5-A067

Secretary of State's conclusion and observation

Secretary of State notes Natural England's commitment to provide clear and consistent messaging to walkers on the ground. Encourages that any new signage should be appropriately designed.

Additional matters of interest

m) Lighthouse Beach, Beacon Lodge and Brook Gardens Chapter 5, KLR-5-S016 and KLR-5-S017

There were a very large number of representations from individuals and organisations seeking access to Lighthouse Beach. The Country Land and Business Association, expressed concern at the intrusion on private land and impact on businesses.

These representations all come from residents and visitors expressing the wish to access the only beach local to Kingswear to which access has been blocked by the landowner since 1999. They say that the public had access, by right, to Lighthouse Beach for over 100 years via the registered public right of way (no. 8 on the definitive map) until access off the path onto the beach was blocked by the owner. They claim that opening this beach will benefit the local community and visitors.

Natural England's comments

Lighthouse Beach is an area of privately owned foreshore in Kingswear. A public right of way extends from Beacon Road to the edge of the foreshore down a set of steep steps. At the end of the steps access to the beach is now blocked by wire fencing and a locked metal gate. The landowner completed the construction of a large house on the east side of the beach in 2013. Under the Coastal Access Scheme all areas of beach/foreshore seaward on or adjacent to the trail form part of the accessible coastal margin by default. Lighthouse Beach is seaward of the proposed line of the trail, so if our proposals are approved Lighthouse Beach would become subject to coastal access rights once the legislation comes into force on this stretch of coast. It would provide significant recreational benefit to the public if they were once more able to access this area of foreshore.

Devon County Council, as the local access authority, would have the power under Chapter III of CROW Part 1 to seek the landowner's agreement to the removal of the fencing and gate in question once the ECP proposals came into force, in order to enable the public to realise these benefits once more. In the absence of such agreement, they would have the power to give the landowner notice of intent to remove the obstruction in question, subject to any appeal by the landowner under CROW section 38. Devon CC are aware of the significant local demand for access to the beach to be reinstated.

The Planning Inspector's report

The Planning Inspector visited on 6 February 2018 to look at specific objections:

- Land at Beacon Lodge, Kingswear, Devon, TQ6 0BU (this land includes Lighthouse Beach)
- Land at Inverdart Boathouse, Kingswear, Devon, TQ6 0BU (south east side of Lighthouse Beach and an exclusive eco-holiday home)
- Land at Brookhill Gardens, Kingswear, Devon, TQ6 0BU (south east of both the above and part of the Italian gardens at Brookhill Estate)

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All the above objected to land being included as coastal margin and that a fair balance had not been struck. Although none of the objections challenge the adoption of the South West Coastal Path (SWCP) as the trail route, the objectors are concerned about the consequential effect on their properties of public access to the coastal margin on the seaward side of the trail. The objectors suggested proposals should be modified to exclude land from the coastal margin.

Natural England's comments

NE does not consider that the foreshore in this case forms part of the curtilage of Beacon Lodge or Inverdart Boathouse, or that it is 'land used as a garden' for the purposes of this legislation. It therefore considers that this area would be subject to coastal access rights if this part of the proposed route is approved. NE considers this would bring significant recreational benefit in being able to access once more the areas of foreshore that were traditionally available to the public.

Natural England agrees that Brookhill Gardens would appear to fall within the excepted land category of 'land used as a garden' and therefore would not become subject to coastal access rights. Therefore our proposals would not impact on the privacy of this area. Areas of excepted land are not separately depicted in our proposals or on the maps.

Planning Inspector's comments

Having had the benefit of seeing the land in question, I would agree with NE; it is hard to construe Lighthouse Beach as part of the curtilage of either Beacon House or Inverdart Boathouse within accepted definitions. Guidance offered by Defra on interpretation of the term acknowledges that it is not defined, but advises that "it generally means a small area forming part and parcel with the house or building to which it is attached. In most cases the extent of curtilage will be clear: typically, an enclosure around a dwelling containing a garden, garage or side passage; a walled enclosure outside a barn, or a collection of buildings grouped around a farm house and farm yard."

Neither would I agree that the land below Beacon House could qualify for exception on account of being a garden.

In summary, from my own observations, and solely for the purposes of making a reasonably informed recommendation here, my view is that the land, dock and jetty associated with Inverdart Boathouse could qualify as part of the building's curtilage and therefore as excluded land, and that Brookhill Gardens may be excluded on account of meeting the criteria for 'land used as a park or garden'. As regards Lighthouse Beach, I am inclined to the view that this would not fall into any of the qualifying categories for excluded land.

Planning Inspector's conclusions

In summary, the effect of the proposals on private land needs to be balanced against the aims of the 2009 Act to improve public access and enjoyment of the English coastline. In considering that balance the Secretary of State must have regard to the likely impact on the objectors and their livelihood whilst also taking

account of the circumstances which have led NE to propose to follow the South West Coast Path between Inner Froward Point and Kingswear.

In my view the land directly associated with Inverdart Boathouse (including the jetty, dock and gardens) and the land at Brookhill Gardens are likely to be excepted from the coastal access provisions. On that basis, it would be hard to conclude that NE had failed to strike a fair balance between public and private interests in relation to these objections.

The position is less clear as regards the land below Beacon Lodge including Lighthouse Beach. It is my view that the beach is unlikely to qualify as excepted land and therefore that it would become available to the public for recreational use on foot, accessed via the definitive footpath, whether or not the adjacent woodland qualifies as excepted land. Balancing the overall aims to improve access to the coast in general through the provision of coastal margin and the desire to achieve continuity of the trail around the Dart estuary by following the South West Coast Path to the first ferry crossing, together with the strong support for re-opening Lighthouse Beach to the local community and others, against the loss of privacy for residents staying at Inverdart Boathouse and their exclusive use of the beach, I consider the public interests outweigh the private interests.

Recommendation: Having regard to these and all other matters raised, I conclude that the proposals do not fail to strike a fair balance as a result of the matters raised in relation to the objections within paragraphs 3(3)(d), (e) and (f) of the 1949 Act. I therefore recommend that the Secretary of State makes a determination to this effect

Secretary of State's conclusion and observation

Secretary of State notes the representations and the strong local support for access to Lighthouse Beach. Notes Natural England's comments in response, and the role of the access authority after these proposals come into force.

n) Beacon Road, Kingswear

Natural England's comments

Beacon Road is a public road which has been closed since December 2012 due to a landslip on the cliff directly below the highway. Devon County Council has led on identifying solutions for this area and plans have been drawn up to stabilise the cliff. Natural England met with representatives of Devon CC on site in April 2016 to discuss the potential for Beacon Lane to reopen. Funding is yet to be confirmed for the significant engineering works required but contributions have been offered by Devon CC and two of the three landowners. Beacon Road would better meet the objectives of the Coastal Access Scheme and would have been Natural England's preferred route for the England Coast Path due to the proximity to the sea and coast views. However, as the road is currently impassable with no agreed timescale for the works to allow the route to reopen we have not included this route in our proposals. This is reflected in our report in Table 1.2.3. Should Beacon Road reopen to walkers in the future Natural

Agenda Item 9.

England would consider proposing a variation of the route of the ECP to follow this lower, more direct and scenic route.

Changes since publication of the proposals

o) Alma Bridge, Sidmouth

Secretary of State notes that since publication of proposals the Alma Bridge at Sidmouth has been dismantled and replaced by a new bridge less than 50m upriver. Natural England's report proposed to cross the River Sid using the Alma Bridge but also identified that it was due to be replaced and dismantled, and that the England Coast Path would then roll back to use the new bridge.

In view of this, Secretary of State approves the proposals subject to modification at route sections KLR-7-S045, KLR-8-S001 and KLR-8-S002. The modification is for the trail to instead use the new bridge across the River Sid which has already been adopted as the route of the South West Coast Path.

p) Dawlish Warren, Exe Estuary

Secretary of State notes that since publication of proposals there has been a small change to the boundary of the existing voluntary exclusion zone within the Exe Estuary. Natural England's published proposals included a year-round access exclusion to cover this same area, and Natural England intends to modify the extent of its proposed access exclusion to replicate the change on the ground.

In view of this, Secretary of State approves the proposals subject to modification to the coastal margin seaward of route sections KLR-5-S015 to KLR-5-S021. The modification is to reduce the area of the proposed access exclusion by 5.3ha which will replicate a change to the boundary of the existing voluntary exclusion zone.

PUBLIC RIGHTS OF WAY COMMITTEE

11 March 2021

Present:

Councillors P Sanders (Chair), T Inch (Vice-Chair), H Ackland, P Colthorpe, A Dewhirst and L Hellyer

Apologies:

Councillors M Shaw

Members attending in accordance with Standing Order 25:

Councillor J Trail

* 148

Minutes

RESOLVED that the minutes of the meeting held on 26 November 2020 be signed as a correct record.

* 149

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 150

Announcements

- (a) The Chair welcomed Mrs Mayes to the meeting who was attending in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.
- (b) This was to be Public Rights of Way Manager Mrs R Mills' last Committee meeting before retiring from the Council on 3 May 2021 and the Chair wished to record his thanks for her hard work over the years and to wish her a long and happy retirement.

* 151

Devon Countryside Access Forum

The Committee noted the draft minutes of the virtual meeting of the Devon Countryside Access Forum held on 21 January 2021. The next meeting would be held on 27 April 2021.

* 152

Parish Review: Definitive Map Review - Parish of Trentishoe Part 2

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

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2

PUBLIC RIGHTS OF WAY COMMITTEE

11/03/21

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/17) which examined the remaining proposal from the Definitive Map Review in the Parish of Trentishoe.

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

RESOLVED that no Modification Order be made to the Definitive Map and Statement in respect of Proposal 3.

* **153** **Parish Review: Definitive Map Review 2017-2020 - Parish of Holsworthy Hamlets**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/18) which examined the Definitive Map Review in the Parish of Holsworthy Hamlets.

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

RESOLVED that completion of the Definitive Map Review in the Parish of Holsworthy Hamlets be noted and that no modifications are required.

* **154** **Parish Review: Definitive Map Review - Parish of Exmouth**

(Councillor Trail attended in accordance with Standing Order 25(2) and spoke to Proposal 2 of this item.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/19) which examined two proposals arising out of the Definitive Map Review in the Parish of Exmouth in East Devon District.

Proposal 1

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 to them a public footpath between points between points C and D, as shown on drawing number HIW/PROW/21/04, in respect of Proposal 1
- (b) that no Modification Order be made in respect of that part of Proposal 1 shown between points A – B – C, as shown on drawing number HIW/PROW/21/04.

Proposal 2

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

RESOLVED that a Modification Order be made to modify the Definitive Map and Statement by adding to them a public footpath between points E and F, as shown on drawing number HIW/PROW/21/05, in respect of Proposal 2.

* **155** **Parish Review: Definitive Map Review 2019-2021 - Parish of Morebath**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/20) which examined the routes referred to as Proposals 1 and 2 arising out of the Definitive Map Review in the Parish of Morebath in Mid Devon.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillors Hellyer and Colthorpe respectively and

RESOLVED that no Modification Orders be made in respect of Proposals 1 and 2.

156 **Parish Review: Definitive Map Review - Parish of Payhembury Part 2**

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/21) which examined a proposal arising from the Definitive Map Review in the Parish of Payhembury involving the correction of the recorded line of Footpath No. 11.

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

RESOLVED that a Modification Order be made to modify the Definitive Map by deleting the sections of Footpath No.11 between points V – W and U – N – P and adding public footpaths between points X – V and U – M – T as shown on drawing HIW/PROW/20/45.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.25 pm and finished at 3.32 pm

Unsurfaced Unclassified County Roads (uUCRs)

Summary for the Devon Countryside Access Forum

April 2021

DCAF question 1

“What is the legal status of a UCR, the legal status of a byway open to all traffic and the associated responsibilities of the County Council?”

DCAF question 2

“How will public access on UCRs be secured and recorded in the long term, at least to the same extent as rights of way on the definitive map?”

Response from Helen Clayton, Public Rights of Way Senior Officer, Legal and Development:

Legal definition and protection

The term County Road was introduced by the Local Government Act 1929, when County Councils inherited responsibility for all roads in Rural District Council areas and classified roads in Municipal Boroughs and Urban District Councils. It was later made redundant by the Local Government Act 1974, but the term is still commonly used by highway authorities. Accordingly, the Planning Inspectorate Consistency Guidelines state that the classification Unclassified County Road *has no legal standing but it carries some inference that the public may use the highway with vehicles. Extant advice is that ‘all other relevant evidence must be taken into account’.*

Consequently, there may not be a national view on the legal status of UCRs. However, the records of Devon County Council demonstrate that those in Devon are considered to be vehicular highways. These records include the handover maps from Rural and District Councils, formal minutes and reports of the County Council Roads Committee, and instructions to roadmen in relation to the Definitive Map survey. However, if there is any dispute whether a particular route carries vehicular rights it would need to be considered on the basis of all available evidence.

Routes known as County Roads are recorded on the County Council’s List of Streets (record of highways maintainable at the public expense).

Byways open to all traffic (BOATs) are a specific category of highway required to be shown on the Definitive Map of Public Rights of Way. They are also vehicular highways. Their legal definition is “a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used”. Therefore, the test for a carriageway to be recorded on the Definitive Map and Statement as a BOAT relates to its character or type. Case law has provided clarity as to the definition of a BOAT (set out in the Government’s Rights of Way [Advice Note 8](#)).

The same case law also provides clarity as to the intention behind defining the word ‘byway’ in the Wildlife and Countryside Act 1981 as “to distinguish byways from ordinary roads”. Further, that “Parliament intended that “full highways or cartways”

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which might not be listed as highways maintainable at the public expense under the Highways Act 1980, should be included in the definitive map and statement so that rights of way over such highways should not be lost.”

The Natural Environment and Rural Communities Act 2006 extinguished any unrecorded rights for mechanically propelled vehicles except in certain cases. Those routes recorded on the List of Streets (but not on the Definitive Map as footpaths, bridleways or restricted byways) and BOATs shown on the Definitive are specifically excluded and therefore protected from extinguishment.

To stop-up a route recorded on the List of Streets or a BOAT requires an application to Magistrate’s Court under section 116 of the Highways Act 1980 (public path orders cannot be used to divert or stop-up BOATs). The process is subject to public consultation. The legal test to be met is that the route is no longer needed for public use and may be challenged.

DCAF question 3

“How are uUCRs managed, signed, monitored and, where appropriate, maintained?”

DCAF question 4

How are the Rights of Way Improvement Plan policies on uUCRs working in practice? Is there a specific budget for uUCRs or is work reactive?

Response from Steve Gardner, Public Rights of Way Senior Officer, Asset Management and Enforcement:

Cat 12 Road Asset

The Public Rights of Way (PROW) Team manages approximately 365 miles / 587 kilometres of uUCRs or, as we refer to them, *Maintenance Category 12 Roads* (Cat 12 Roads: the lowest category of road maintenance in Devon). The Team took over their management from the Neighbourhood Highway Teams in around 2009 (I am uncertain of the year but we have certainly been responsible for them for over ten years). This includes the Cat 12 Roads within the two National Parks.

Name of authority	Metres of uUCRs	Miles of uUCRs
East Devon District Council	125,730	78.14
Exeter City Council	2,390	1.50
Mid Devon District Council	63,490	39.42
North Devon Council	77,890	48.40
South Hams District Council	143,660	89.35
Teignbridge District Council	80,050	49.75
Torrington District Council	50,590	31.49
West Devon Borough Council	43,870	27.28

Length of uUCRs by district



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Cat 12 Road Definition

Maintenance Category 12 Roads can either be sealed or unsealed. Cat 12s are currently defined as roads that are “not used by normal vehicular traffic”. This is in contrast to Cat 9s through to Cat 11s which are all defined as serving fields or property. The internal source of information used to identify the maintenance category of any road is the National Street Gazetteer. Sealed Cat 12s can include road markings and signage (for example, in ‘give way’ or ‘stop’ scenarios).

Definitions for all carriageway maintenance categories are given below.

Carriageway Maintenance Hierarchy	Hierarchy Description	Type of Road / General Description
1	Motorway	Maintained by Highways Agency
2a	Primary National - Trunk Road	Maintained by Highways Agency
3	National Primary route	National strategic routes for through and long distance travel (A roads)
4	County Primary route	Main access routes connecting principal settlements.
5	Secondary County route	Main access routes to large settlements and recreational attractions.
6	Local Distributor	Main access routes to smaller settlements and recreational attractions.
7	Collector road	Rural – Access routes to small villages and other significant traffic generators. Urban – Industrial main collector roads & through routes and Residential collector roads. Access to schools, hospitals, facilities for the disabled, main shopping areas, libraries, car parks and tourist attractions. Shared surfaces with heavy pedestrian traffic. Local roads serving limited numbers of properties.
8	Minor Collector road	Rural – Roads serving small hamlets and scattered communities. Urban – Roads serving shopping areas, business premises, industrial estates and residential areas
9	Service road	Rural – Local road serving only a few properties Urban – Narrow collector roads and shared surfaces
10	Minor Service road	Rural – Local road serving only one property Urban – Cul-de-sac serving less than 20 properties.
11	Minor lane	Rural – Serving fields only or duplicating other routes. Urban – Back Lanes
12		Not used by normal vehicular traffic

The majority of Cat 12 Roads are unsurfaced, but some were previously surfaced and are now suffering from degradation, which can prove difficult to manage.

When the Cat 12 Roads were managed by the Neighbourhood Highway Teams, the *Policy for General Maintenance Treatment Standards* was to only treat potholes, and then only with road planings. The PROW Team has been more proactive with Cat 12 Road maintenance and improvement work as the majority form a valuable local recreational resource, particularly where they are well connected to the rest of the access network in an area (for example, where public rights of way are accessed off them).

Rights of Way Improvement Plan (RoWIP) Policies

The three main RoWIP policies that refer to uUCRs are copied below. It needs to be acknowledged that:

1. the first RoWIP was written before the PROW Team became responsible for the Cat 12 Roads; and

2. the maintenance and improvement of the Cat 12 Roads has evolved since the publication of RoWIP 2 in 2012.

M1F The feasibility of improving and maintaining the uUCRs will be investigated and supported, within the available resources, where they contribute to other strategic objectives and plans.

SW1E Improvements to signing of the uUCRs will be sought within the available resources under the following priority:

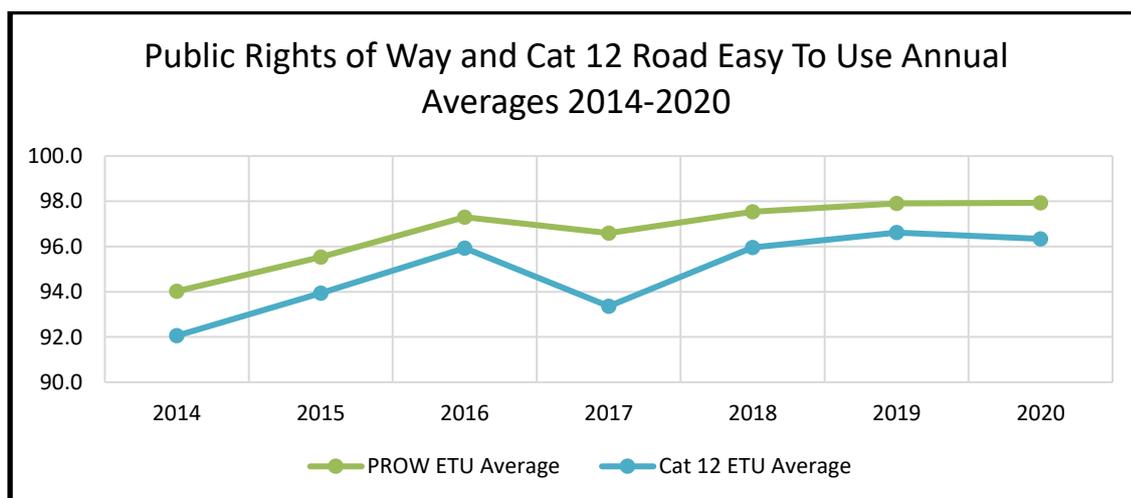
- i. those providing direct access to and from existing rights of way;
- ii. those forming circular links within existing rights of way or where they serve as the primary unsurfaced route in the area; and
- iii. all other uUCRs.

MU2D The possibility of improved maintenance and signage of the uUCRs within the available resources will be investigated in accordance with policies M1F and SW1E.

Inspections

Cat 12 Roads receive an inspection by a PROW Warden once every three years. This is the same inspection frequency as the majority of Public Rights of Way (with the exception of those forming the South West Coast Path which receive an annual inspection).

Cat 12 Road condition is measured against those standards set out for a public bridleway in the PROW Condition Criteria document. This document is due for revision soon as it contains some out of date information. From this, we can establish 'easy to use' figures for the Cat 12 Roads, the annual average of which is shown in blue on the chart below. The general trend for Cat 12 Road ease of use has been upwards since at least 2014 and is consistently above 90% easy to use (that is, at least nine out of ten Cat 12 Roads have no significant maintenance issues affecting their ease of use).



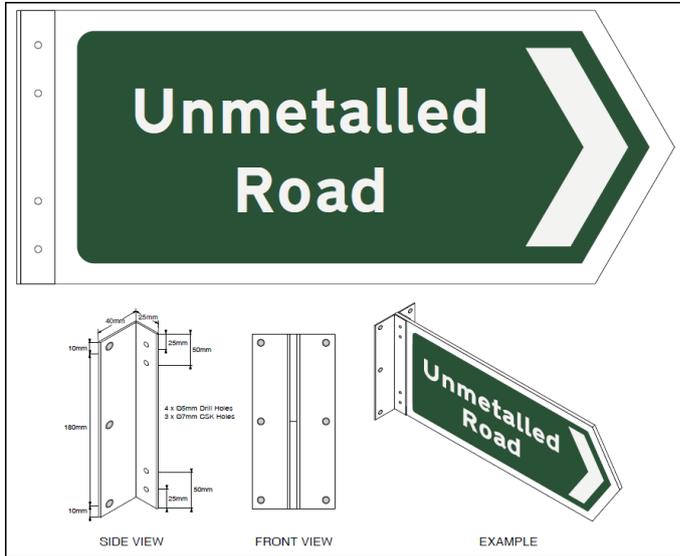
Maintenance

Maintenance of Cat 12 Roads is undertaken by contractors on the PROW Contract and by volunteers under the Parish Paths Partnership scheme and by, for example, the Trail Riders Fellowship working in partnership with the County Council.

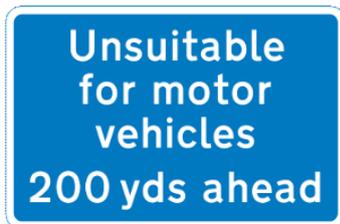
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Signage

In line with the signage used on the PROW network, we typically sign Cat 12 roads with white on green polycarbonate sign arms on wooden posts. The sign wording says either “Unmetalled Road” or “Public Way”, the latter wording normally reserved for metalled Cat 12s – example sign arm below.



We have discovered a few Cat 9-11 Roads which lead to Cat 12 Roads that were incorrectly signed with “No Through Route” (“T”) signage prior to PROW Team involvement. Where these are discovered, our standard practice is to replace the No Through Route sign with an “Unsuitable for Motor Vehicles xx yds ahead” sign – example below. These are placed at a location where it is still possible for *normal vehicles* to turn around.



Budgets for maintenance and improvement of Cat 12 Roads

Cat 12 Roads and PROWs are maintained from the same budget. It would be time consuming to give a breakdown of how much is spent on Cat 12 Roads versus PROWs as they are treated the same, in maintenance terms, and PROW Wardens often raise various call-off orders covering both networks in one order.

The maintenance (revenue) budget allocated to PROW and Cat 12 Road maintenance was £378,000 for the 2020-21 financial year.

Improvement work is undertaken from the PROW Capital budget (which covers PROWs, Cat 12 Roads, Recreational Trails (e.g. Tarka Trail and Exe Estuary Trail) and bridges and structures). The allocation for 2020-21 was £680,000. Of this, £146,400 was allocated to Cat 12 Road improvement schemes. The capital budget was increased by up to £900,000 in year from additional highways funding.



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Environment and City Management
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26 January 2021

Dear [REDACTED]

Parks and Green Spaces Strategy Survey

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, one of which is councils.

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

The Devon Countryside Access Forum discussed the Parks and Green Spaces strategy at its public meeting on 21 January. This response constitutes formal advice from the Forum and Exeter City Council is required, in accordance with section 94(5) of the CRoW Act 2000, to have regard to relevant advice from this forum in carrying out its functions.

Members agreed that the strategy was laudable in terms of both the aims and actions detailed in the survey questions.

There were a few additional actions which the Forum would like to add:

a) Accessibility

The Devon Countryside Access Forum advises that there should be a specific

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.

Agenda Item 13.1

aim and action to improve accessibility for mobility scooter/wheelchair users and pushchair users across parks and green spaces within the City boundary. A copy of the Devon Countryside Access Forum's Disability Access position statement is attached for information.

b) Cross-boundary issues

Housing developments on the edge of Exeter, in Teignbridge and East Devon in particular, are likely to increase pressure on greenspace, in terms of development on existing accessible areas and population pressure. It is important to work with neighbouring authorities to ensure greenspace is created and improved across a wider area.

c) Engagement

As well as working with landowners and partners, the Forum advises that an action should be to work with other organisations, such as the Devon Countryside Access Forum, who have an interest in improving access to greenspace. Public engagement should also be maintained in addition to working specifically with communities on sites.

The Forum notes the Hoopern Valley Park is not specifically mentioned in the strategy document and is interested to know whether it has been included with another park or green space area.

Feedback on these comments would be very welcome.

If you require any further information, please do not hesitate to contact me.

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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Mr D Eltham
Environment and Sustainability Policy Officer
Environment Group
Devon County Council
County Hall
Room 120
Exeter, EX2 4QD

26 January 2021

Dear Mr Eltham

Devon Interim Carbon Plan

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, one of which is councils.

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

The Devon Countryside Access Forum discussed the Devon Interim Carbon Plan at its public meeting on 21 January. This response constitutes formal advice from the Forum and Devon County Council is required, in accordance with section 94(5) of the CRoW Act 2000, to have regard to relevant advice from this Forum in carrying out its functions.

Members confined their brief discussion to the cycling and walking actions in the transport section of the plan. Members agreed that the key outcomes and associated priority actions outlined in the Plan are laudable.

The Forum advises that a further outcome and action should be added around safety. People using sustainable modes of transport (non-motorised users) should feel safe in

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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the space that is made available to them. This is particularly critical in trying to achieve a change to reduced carbon emissions. Such vulnerable users need to feel confident that their journey is safe and that suitable safety audits have been carried out on newly designed or improved routes.

Feedback on this comment would be very welcome.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

A black rectangular box redacting 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



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Natural England Countryside Code refresh

Devon Countryside Access Forum response – January 2021

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, one of which is Natural England.

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

The Devon Countryside Access Forum discussed the Countryside Code refresh at its public meeting on 21 January. This response constitutes formal advice from the Forum and Natural England is required, in accordance with section 94(5) of the CRoW Act 2000, to have regard to relevant advice from this Forum in carrying out its functions.

Forum members agreed to submit some specific points and not answer the many questions in the survey.

1) Awareness of the Countryside Code

It was agreed that the Countryside Code is not terribly well-known. Even amongst Forum members there was a varying degree of knowledge about the short and long code.

2) Respect-Protect-Enjoy

On balance, the Devon Countryside Access Forum thought the strapline should be abandoned. The language is unclear and people may interpret words in several ways. Users of the countryside are not necessarily sure what they are supposed to ‘respect’ or ‘protect’ and those words have different connotations for

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different people. A short list of 'dos and 'don'ts' was felt necessary because there can be huge ignorance about how to behave in the countryside and getting people to enjoy it is not really the issue. Enjoy may be the overriding message in people's minds. Unfortunately, the phrase 'right to roam' has also been taken out of context and is now interpreted as going where you want.

3) *Education and promotion*

The starting point in reviewing the Code should be how people will learn about it, how it will be communicated, and what key messages should be put across to ensure an enjoyable time in greenspace (linear and area) that minimises impacts on landowners/managers and their crops and livestock, and nature. Given that it is estimated that 9m adults in the UK are functionally illiterate, it is essential that ways of promoting the Code are examined initially by Natural England. Good graphic messages, as in the earlier collaboration with Aardman Animations, are useful.

A short simple code should be the initial aspiration, which provides very clear and focussed messages about what behaviour is acceptable and the need to behave with courtesy and responsibility. This should be easy to read in a clear font. Members thought the original Country Code in 1981 with its twelve key messages is less confusing than the newer short and long Countryside Code versions. There is a danger that if the refreshed code tries to incorporate too many themes it will be too lengthy and just not read.

One of the Devon Countryside Access Forum members, who has been an assessor at all levels for the Duke of Edinburgh scheme for many years, always has a pre-expedition session with every group which includes questions about the Country Code. He has never had a group unable to quote from the 1981 version of the code and, moreover, they understand why the points are important.

The beauty of some short, simple messages is that they can be affixed to a post on site or easily read on a mobile device. As an aspect of citizenship education, schools could be encouraged to ensure children know key messages. Social media and influencers, as well as TV programmes about the countryside, are all ways in which a clear code could be communicated to the public.

The 1981 Country Code messages were:

- *Enjoy the countryside and respect its life and work*
- *Guard against all risk of fire*
- *Leave all gates as you found them*
- *Keep your pets under close control*
- *Keep to public paths across farmland*
- *Use gates and stiles to cross fences, hedges and walls*
- *Leave livestock, crops and machinery alone*

- *Take your litter home*
- *Help to keep all water clean*
- *Protect wildlife, plants and trees*
- *Take special care on country roads*
- *Make no unnecessary noise*

These remain good essential messages but might have to be modernised with some changes to wording to be clearer and less ambiguous for example 'do not cause fires' instead of 'guard against all risk of fire' and 'do not damage wildlife, plants and trees' instead of 'protect wildlife, plants and trees'.

Feedback on the Devon Countryside Access Forum's comments would be appreciated.

If you require any further information, please do not hesitate to make contact.

Hilary Winter
Forum Officer

Response sent on behalf of the Devon Countryside Access Forum

Chair: Sarah Slade

Vice Chair: Chris Cole

Agenda Item 13.3

Revised Countryside Code (front and reverse)
April 2021

The
Countryside
Code



Your guide to enjoying parks and
waterways, coast and countryside

Respect everyone

- be considerate to those living in, working in and enjoying the countryside
- leave gates and property as you find them
- do not block access to gateways or driveways when parking
- be nice, say hello, share the space
- follow local signs and keep to marked paths unless wider access is available

Protect the environment

- take your litter home - leave no trace of your visit
- take care with BBQs and do not light fires
- always keep dogs under control and in sight
- dog poo - bag it and bin it - any public waste bin will do
- care for nature - do not cause damage or disturbance

Enjoy the outdoors

- check your route and local conditions
- plan your adventure - know what to expect and what you can do
- enjoy your visit, have fun, make a memory

www.gov.uk/countryside-code



The
Countryside
Code



Follow advice and local signs

In some cases, additional higher rights of access or permissive access could exist.

Footpath



Bridleway



Restricted Byway



Byway open to all traffic



Permissive Path

Follow advice on local signs as landowners voluntarily provide access to these paths and choose who can use them. Some open access areas are also made available in the same way.



National Trail

National Trails are created for walking, with horse-riding and cycling possible on some trails or trail sections.

www.nationaltrail.co.uk



Open Access

You can walk and explore away from paths.

www.openaccess.naturalengland.org.uk

For further information visit www.gov.uk/countryside-code



Devon Countryside Access Forum
c/o Public Rights of Way Team
Great Moor House
Bittern Road
Sowton
EXETER EX2 7NL

Tel: 07837 171000
01392 382084

devoncaf@devon.gov.uk
www.devon.gov.uk/dcaf

Representation from the Devon Countryside Access Forum

Appeal Reference: APP/Y11110/W/20/3265253
Land at Pennsylvania Road, Exeter

The Devon Countryside Access Forum is a statutory local access forum set up under the Countryside and Rights of Way (CRoW) Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment”. Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, one of which is the Planning Inspectorate.

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

The Devon Countryside Access Forum notes the appeal Reference: APP/Y11110/W/20/3265253 which relates to land at Pennsylvania Road, Exeter.

The area around the proposed development on the rural fringe of Exeter has a high density of bridleways, well-used by horse riders and other recreational access users. This has been particularly evident over the past year when more people have explored their local public rights of way network. These bridleways have excellent views and link to other areas with public access at Stoke Woods and Huxham Brake, owned by the Forestry Commission, plus a number of footpaths and minor roads. Exeter has very few bridleways and these are concentrated in this area. Any development proposals should seek to both protect and enhance these resources and the public’s access to them.

Stoke Hill, accessed from Exeter Bridleway 7 to the eastern edge of the development site, is identified as an Exeter viewpoint in the Exeter Green Infrastructure Strategy 2009. The hills, including the development site, fall within one of the strategic landscape settings identified in the adopted Core Strategy 2012 – hills to the north and north west - where “the character and local distinctiveness” will “be protected

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.

Agenda Item 13.4

and proposals for landscape, recreation, biodiversity and educational enhancement brought forward, in accordance with guidance in the Green Infrastructure Strategy, through the Development Management DPD.” (Core Policy CP16)

One of the Forum's main concerns is the safety of vulnerable road users: walkers, horse riders, cyclists, dog walkers and disabled users. The Forum recommends that account needs to be taken of existing and projected traffic flows along Wreford's Lane and Pennsylvania Road to ensure adequate provision is made for public access to this important network of public rights of way and the safety of users. The roads are very narrow at this point with no pavements.

Since its inception, the Forum has prepared several position statements to use in response to consultations. Several clauses within those are pertinent to this appeal and are stated below. The Forum advises that the Planning Inspectorate should consider whether the development meets these criteria.

Green Space position statement – April 2019

- a) High quality walking and cycling routes should link housing to schools, shops, employment areas, recreational and sports facilities and rights of way.
- b) Maintaining and seeking improvements to biodiversity, alongside provision of greenspace, should be a key target.
- c) Surfaces and use of materials should be appropriate for the intended use and respect the character of the surrounding environment. For example, it may be appropriate to have a hard tarmac surface for key routes for all users, including cyclists and disability users. Elsewhere, softer surfaces more in keeping with the environment could be adopted and allow use by other recreational access users such as horse riders.
- d) The Management Plan for any development 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.

Local Development Frameworks and Major Developments position statement - 2015

Existing Rights of Way and other access opportunities

The DCAF advises that the council should:

- 1) recognise the rights of way network and its contribution to health, tourism and sustainability;
- 2) protect the rights of way network from development proposals;
- 3) ensure new housing developments link to the rights of way network, where possible;

- 4) seek to improve the safety for rights of way users where routes meet or run along roads.

The Neighbour Plan position statement, revised November 2020, also incorporates some of the above statements.

Hilary Winter
Forum Officer

Statement submitted on behalf of the Devon Countryside Access Forum

*Chair: Sarah Slade
Vice Chair: Chris Cole*

1 April 2021

Northbrook Approach

Exeter City Council consultation

Closing date: 3 May 2021

Summary

The future of the former golf course on Topsham Road is being considered. During 2019 Exeter City Council, owners of the site, decided not to sell it and is now consulting on its future. The consultation is being carried out jointly with the Devon Wildlife Trust which manages Exeter's valley parks.

“The Northbrook Approach site occupies a crucial strategic location in the cultural and ecological landscape. It provides a green corridor between two of the city's most significant greenspaces, Ludwell and Riverside. The site's strategic role was identified in the 2016 Riverside and Ludwell Masterplan as performing a critical function for the movement of wildlife. It also represents a potential natural infrastructure connection for people to move between parks and could provide traffic-free routes into the Quayside areas, Marsh Barton and the city centre beyond.”*

The full consultation document is attached.

The vision for the site can be seen on a video produced by Devon Wildlife Trust.

[Devon Wildlife Trust: Northbrook Approach Vision - YouTube](#)

The Exeter Green Circle twelve mile promoted walking route already goes through Northbrook and is incorporated in route maps.

Potential response

The consultation survey includes some questions which the DCAF may wish to consider. Additional comments may relate to the DCAF's position statements and previously submitted advice on Ludwell Valley Park, shared space routes and dog walking. Two key questions from the consultation survey are extracted below as a focus for matters to consider. It is proposed the DCAF submit a written response covering areas within its remit.

Question 8 relates to the importance of the following factors for improving access to Northbrook Approach, ranking them as Not at all important; not important, neither, important and very important.

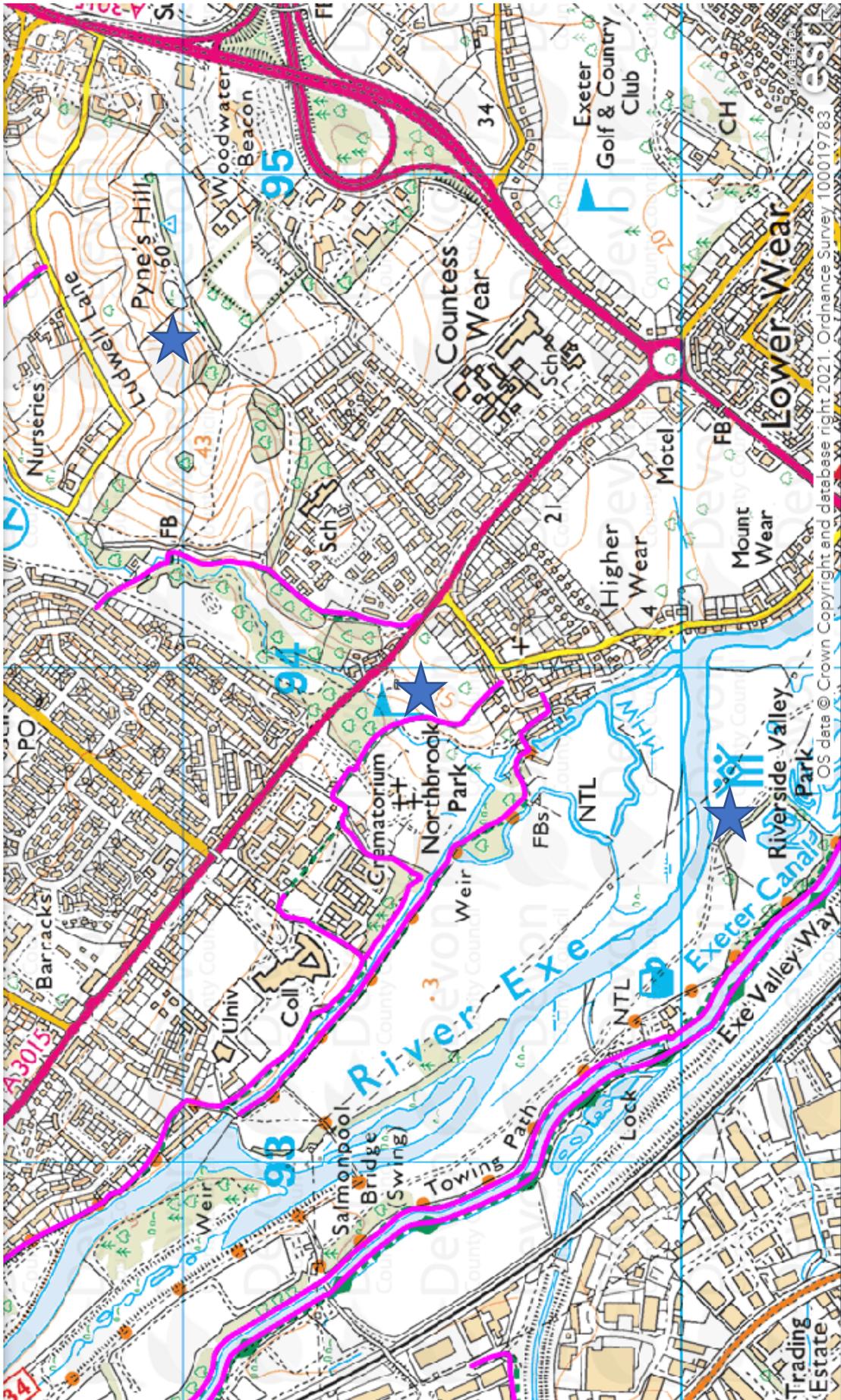
- 1) More online information
- 2) Improved entrances and signage
- 3) More accessible paths around the site
- 4) Cycle facilities e.g. paths and tracks
- 5) Car park
- 6) Easier access from Topsham Road by foot
- 7) Places to rest, sit or picnic

Agenda Item 14.1

Question 12 asks “when considering the wider Riverside and Ludwell Valley Parks, how important are the following for the landscape of this area?” The same importance ranking is included as question 8.

- a) Wildlife havens where biodiversity can thrive
- b) Place of peace and tranquillity
- c) Access to water bodies e.g. River Exe, Exeter Canal, Northbrook Stream
- d) Good paths, signage and other infrastructure to help to access long walks e.g. benches and bins
- e) Visitor facilities e.g. for refreshments
- f) Organised community events, activities and ways to get involved
- g) Places to exercise a dog
- h) More areas with dog restrictions e.g. no dogs, on lead only, maximum number of dogs
- i) Marked walking, running and cycling routes
- j) Areas for youth or teen socialising and recreation
- k) Spaces for children, families and outdoor play and learning

Location of Northbrook Park and the nearby green space areas of Ludwell Valley Park and Riverside Valley Park



Agenda Item 14.1

Northbrook Approach

Topsham Road gateway 2:
main access by foot or bike



Car-park:
space for up to 40 cars, currently closed



Topsham Road gateway 1:
vehicle access from Topsham Road serves the small car-park and building (but note there is no adjoining footpath)

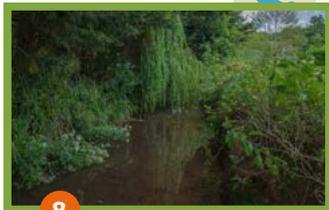


Lower Northbrook Approach:
to one side of the Northbrook stream is this low-lying meadow (once part of the putting green)

EXETER & DEVON
CREMATORIUM



Bridge:
bridge over the Northbrook stream is the gateway to the main site and onward footpath



Northbrook stream:
the Northbrook or 'Panny' is one of Exeter's most important waterways and wildlife corridors, winding down from the north of the city through Ludwell Valley and towards the river



Trees and meadows:
continuing along the main path you can see trees and meadows and can explore the site by climbing the bank



Green Circle:
the main path through the site tracks the Northbrook stream and forms part of the Green Circle walk (Ludwell Valley walk)



Top of the hill:
the top of the hill affords long views up river, to the North and West and to Haldon Hill



Riverside gateway:
this path follows the Northbrook stream and is a contiguous link to Riverside Valley Park



Northbrook Approach and the Riverside and Ludwell Valley Parks

Joint proposal for the Future

March 2021



Northbrook Approach Golf Course July 2019

Produced by: Devon Wildlife Trust, Cricklepit Mill, Commercial Road, Exeter, EX2 4AB
Tel: (01392) 279244 Fax: (01392) 433221 E-mail: contactus@devonwildlifetrust.org

Web site: www.devonwildlifetrust.org Registered charity, no 213224



1. Background

Early in 2019 Exeter City Council considered proposals to dispose of the Northbrook Approach Golf Course. There was a groundswell of support for the Northbrook site to remain as an accessible greenspace and as a result the Council decided that the site would not be sold. The golf course (formerly operated by Legacy Leisure) has now been closed, but no plans have yet been made for the future of the site.

Devon Wildlife Trust and Exeter City Council (ECC) and other partners have worked closely since 2008 to deliver the Exeter Wild City programme. Notable achievements include establishing 40 community wildflower meadows around the city since 2012; installing a swift tower at the Paris Street roundabout in 2015; several tree-planting projects including the Big Tree Plant (more than 3.5k trees involving 2.5k people) and wins for wildlife incorporated into the award winning Residential Design Guide.

In May 2019, Devon Wildlife Trust (DWT) took on the management of the six Valley Parks totalling more than 140 hectares in Exeter, under a 30 year lease from the Council, and we are now working in partnership to ensure these greenspaces are enhanced, enjoyed and valued by communities. The largest and best known of the Valley Parks are Ludwell and Riverside, together totalling nearly 100 hectares. DWT aims to increase people's engagement with these greenspaces by attracting new sources of funding, skills and resources to unlock their potential for more people to have an outstanding experience, in a diverse variety of ways. With greater support from people and communities, DWT will care for these special places and encourage wildlife to thrive with year round stunning natural scenes.

The Valley Parks are critical to help us to deliver on our joint vision of Exeter as a national leader in urban greenspace provision. Our vision is for a nature recovery network of thriving and connected green and blue spaces around the city – for people and wildlife.

The Northbrook Approach site occupies a crucial strategic location in the cultural and ecological landscape. It provides a green corridor between two of the city's most significant greenspaces, Ludwell and Riverside. The site's strategic role was identified in the 2016 Riverside and Ludwell Masterplan* as performing a critical function for the movement of wildlife. It also represents a potential natural infrastructure connection for people to move between parks and could provide traffic-free routes into the Quayside areas, Marsh Barton and the city centre beyond.

A wide range of organisations have indicated their interest in the future of the land. ECC and DWT will ensure that communities are placed at the heart of future decisions regarding this special, but contested, space. We propose working in partnership to build community support for the future of this land – one which maximises its natural infrastructure role.

**Riverside and Ludwell Masterplan 2016-2026, Footprint Ecology and Exterior Architecture, 2016*



We propose an approach which considers Northbrook’s critical position in the wider landscape. Extensive consultation and thinking has already been undertaken to develop a vision to unlock the potential of the city’s two major greenspaces, particularly within the Riverside and Ludwell Masterplan. We see this as an opportunity to assess current strategic factors influencing this area, and to develop plans, with the support of local communities, to deliver exceptional natural infrastructure and facilities that will put Exeter on the map as national leaders in this field.



Looking downstream (Northbrook) towards Riverside from Northbrook Approach, with Ludwell behind.

2. Our proposal for Northbrook Approach

The Northbrook countryside 'park' represents a tranquil, wildlife rich, greenspace. As a result of its former management it has a well-developed parkland aesthetic. Its gently undulating landform is dominated by grassland, interspersed with mature trees. The grasslands are bordered by well established fringing woodland and smaller clusters of trees.

Our proposal is for ECC and DWT to work in partnership to develop a vision for the Northbrook site which would secure support and engender pride from a wide range of stakeholders and attract potential sources of new funding from commercial sponsorship, grant making bodies, to charitable trusts.

Through initial discussions DWT has held with local communities there is overwhelming support for the area to be developed for quiet recreation in a wildlife rich setting. The land is also recognised for its role as a wildlife corridor between Riverside and Ludwell and there is significant potential to enhance this crucial function. DWT has taken time to visit the land and consider the features that can be enhanced.

Our initial proposal is to build on the fantastic range of features the site currently offers; our vision is for the Northbrook Approach site to develop as a:

- **'Wild arboretum'** – the tree studded parkland would be enriched with wildflowers and newly planted standard trees to inspire visitors to explore and experience wildlife up close and pause to appreciate the stunning landscape;
- **Community orchard** – orchard trees provide fruit for local communities to harvest. This helps communities to develop a greater sense of ownership and pride over the area – and is also a wonderful way of encouraging wildlife;
- **Wilding the Northbrook** – DWT would help catalyse natural processes by allowing the Northbrook room to break out of channel – new wetlands, ponds and pools would provide space for people to access the water's edge and observe the range of wildlife supported;
- **Linking greenspaces** – DWT would manage the site to enhance its critical role as a crucial green corridor between the Ludwell and Riverside Valley Parks, and as a pivotal link for people to enjoy these local greenspaces and to explore further afield.

Whilst DWT is keen to lead on this strong vision for the area it is imperative that communities are able to shape and hone these initial proposals:

- **Community involvement** – engaging and involving communities is a priority for us in the Valley Parks; at Northbrook Approach communities would be involved from the outset in thinking about the site and its role in progressing proposals for the wider landscape;



- Hub for learning and communities** – the Riverside and Ludwell Masterplan identified the need for visitor hubs at both Riverside and Ludwell. DWT and ECC have begun to discuss options for siting a flagship visitor facility at Riverside, and this long-term aspiration can be discussed with communities alongside proposals for Northbrook Approach, as part of the local context. The Northbrook Approach site would provide an excellent base for local community activities, engagement and for education, which we can start to develop straight away in partnership with communities.



Winding path from the banks of the Northbrook at Northbrook Approach, towards Riverside



Valley Parks volunteer group, October 2019

3. Wild Arboretum and community orchard



Views of the former golf course

Without the constraints of a golf course there is an opportunity to bring the parkland to life as a stunning space for visitors to enjoy and to interact with wildlife. DWT proposes to create a high carrying capacity site where we would:

- Establish new all-weather pathways and trails to help people to explore the whole site
- Include benches and pause points where people can gather, play, or simply enjoy the scenery
- Provide wildlife interpretation to help people to explore and discover
- Introduce natural play features
- Establish strong gateways and routes into and out of the site to promote active travel and discovery of Riverside and Ludwell beyond.
- Establish wildflower meadows amongst the trees to provide stunning displays and to help many more insects and pollinators to thrive
- Plant and nurture new trees and orchards to support many more species for the long term, and encourage people to enjoy the blossom and pick the fruit
- Involve people in planning and making choices for the site, as well as in projects to establish new features, to plant and sow, and in ongoing care and organic development



4. Linking greenspaces and wilding the Northbrook

The site already provides an important corridor, connecting wildlife between the larger greenspaces of Riverside and Ludwell. Dippers nest along the Northbrook stream alongside the course, and beautiful demoiselles use the flow of the Northbrook and the vegetation of its banks. Otters and kingfishers are frequent sights alongside minnows and trout in the streams. A good streamside path provides a pleasant walk for visitors, although the quality of the path and access to and views of the stream are varied. Key opportunities include:

- Improve the path along the Northbrook to provide consistent access for pedestrians and cyclists, and excellent views of the stream
- Naturalise the Northbrook stream and its banks. By creating more space for water to flow out of channel we will restore habitats for a wealth of wildlife and help provide an inspiring streamside experience for all visitors
- Link this stretch of the stream to projects upstream (through Ludwell and up towards Mincinglake) and downstream to the River Exe and associated leats, to naturalise watercourses and their banks throughout the catchment
- Our plans ultimately will extend to the source of the Northbrook – by working with nature we will help restore the health of this waterbody
- Strengthen access and the connections at either end of the path (or corridor) to Riverside and Ludwell, to improve visitor access and active travel through these major greenspaces
- Explore the potential to provide a Suitable Alternative Natural Greenspace (or SANGS) for the city linking these major greenspaces
- Develop a balanced plan for facilities to serve local communities at the Northbrook Approach site, with the ambition for strong visitor offer in a Riverside location.



An example of a wild arborium (Yorkshire)

5. People

Ludwell and Riverside Valley Parks extend to approximately 100 hectares of wildlife rich greenspace, hosting the majority of the estimated 500,000 annual visitors to the Valley Parks. Currently there is less than 300m separating Ludwell and Riverside, with the Northbrook Approach representing the critical connection. A visitor to Ludwell can follow the Northbrook stream through the park, across the Topsham Road, into Northbrook Approach and along a public path towards Riverside and the River Exe.

Currently few people take this route. Topsham Road represents a physical and psychological barrier. With new, well signed multi-use pathways people could safely cross Topsham Road at the pelican crossing (adjacent to the crematorium entrance), and descend through the former golf course

The link between these Valley Parks has great potential for visitors due to the different nature of the sites. Ludwell is characterised by hilly farmland, hedges, wooded areas and orchards, stunning views and cornflower meadows. Riverside by contrast sits long and flat along the River Exe and Canal, with diverse floodplain meadows and easy access to the Quayside, Haven Banks and Marsh Barton. Many visitors will always access these greenspaces individually, but connecting them would offer people a much richer variety of experience and also provide safe traffic free routes to work. For the more adventurous, connection can be made onto the Exe Valley Way (a 45 mile river valley walk). At around three hectares of greenspace, Northbrook Approach would form a pivotal part of that connection.

DWT's goal is to engage hundreds of thousands more people in greenspaces around the city including 30 volunteers, 900 children and 1,000 participants in various events, each year. The vision of a city with world class urban greenspace relies upon the connection between sites and upon ease of navigation between them. When this proposed connection is made Ludwell, Northbrook and Riverside would offer over 100 hectares of stunning greenspace in the heart of the city.

Riverside boasts a high profile, hundreds of thousands of annual visitors, and benefits from easy access from the city centre, Quayside and leisure offers at Haven Banks. DWT and ECC have identified this as the best location for establishing facilities to attract visitors from outside of the city. Although discussions about visitor facilities at Riverside are in the early stages this is an important part of our overall vision for the area. To complement this offer the Northbrook Approach site has the potential to provide a hub for local communities to access and enjoy both Ludwell and Riverside, and a strong link between these greenspaces.



6. Communities

When the Council announced proposals to dispose of the Northbrook Approach site there was a significant groundswell of support from local people to keep the site in public use and to retain the character of the area, including its value as a green corridor.

This site presents a tremendous opportunity for involving local people right from the outset – communities have already made their voices heard and they will be provided with meaningful engagement in developing the next chapter in the story of the future of the site.

Following the decision to close the golf course, local people have already started to discuss a variety of ideas for the site. We propose to work together to consider these ideas and to find common ground that will unite people in developing plans which have a firm foundation in community support. DWT will involve a diverse range of communities in supporting the Valley Parks and these initial proposals for the Northbrook Approach site are an ideal opportunity to involve people at every step in the process with ideas, decisions and the ongoing development of the site. Communities on the doorstep include:

- Residents in the Priory, St Loyes and Alphington wards (which includes several different residential communities)
- Millbrook Village (a brand new retirement community), right next to the site
- Five mainstream and two special schools in close proximity to the site
- Wonford residents and users of the Wonford Community and Learning Centre
- Volunteer groups such as Ludwell Life, Wonford Planters and the local Good Gym.

Opportunities to engage communities at Northbrook Approach include:

- A full programme of engagement and involvement in shaping plans for the site (and the wider landscape beyond). People would be invited to join us in sharing ideas, in workshops, walks, talks, focus groups and surveys to develop consensus around how people want to use the site and how it should be developed;
- A co-creative process throughout the development of the site, where people can get involved in digging, planting, sowing and making onsite;
- An ongoing volunteer programme to enhance the site, and to survey and monitor its biodiversity, as well as further opportunities within Riverside and Ludwell, further around the Valley Parks and wider city (see 7 below);
- The future site itself will be designed to be engaging, with opportunities to interact with wildlife, for example picking fruit, climbing a tree log, sitting amongst wildflowers listening to bees and birdsong, and stream and pond dipping;
- Build on the consultation already carried out to produce the Riverside and Ludwell Masterplan, and update this with input from communities considering the role of the Northbrook Approach site and wider landscape context today.



DWT talking to communities at Mincinglake in 2017

7. Visitor hub

The vision DWT shared with ECC early on for the Valley Parks incorporated an ambition to provide first class visitor facilities at Riverside, to enhance accessibility and visitor experience at Ludwell and to link these two incredible greenspaces. These aims are rooted in the 2016 Masterplan for Riverside and Ludwell, which considered potential connections between the two sites, and identified the need for visitor hubs at both Riverside and Ludwell.

Our organisations have been discussing the concept of visitor facilities at Riverside over the past couple of years. The key driver for this is the huge potential at Riverside to draw visitors from around the city as well as beyond, to connect with the nearby historic Quayside and activity hub at Haven Banks, and to open up the Riverside Valley Park as a flagship greenspace for natural activity and leisure. Refreshment facilities at Bromham's Farm Field would enable visitors to stay longer and do more in this special place, and we would provide trails, leisure facilities, natural play and opportunities for outdoor pursuits on and around an enhanced wetland site on the Exe River and Canal banks. We would aim for around 100,000 visitors each year. We are starting to work together with to tackle some of the constraints at the site and we need to start talking to stakeholders more widely to progress our ambitions into a set of plans for fundraising and delivery.

Nearby Ludwell, the largest of the Valley Parks now under DWT management, is also constrained by lack of parking space and facilities. We have considered options to alleviate this (including the potential to use some disused space at Pynes Hill Court which is currently under long lease from the Council to an insurance firm).



Existing infrastructure at Northbrook Approach

Northbrook Approach is an ideal site located between the major greenspaces to consult people, to develop activities and to test and trial approaches – involving communities every step of the way. By developing facilities and opportunities for people to enjoy and benefit at an early stage, we can establish a strong connection between the two parks to help us to develop plans for the site, as well as the wider landscape beyond including Riverside and Ludwell.

The building (c50m²) and built area includes toilets, basic catering facilities, space large enough for groups, parking for up to 40 cars and cycle racks. As it stands the building could provide a temporary **Ideas and Learning Hub** for the following:

- *Consultation and engagement* on plans for the site itself (with reference to Riverside, Ludwell and the other Valley Parks, including our proposals for visitor facilities at Ludwell and Riverside)
- *Activities, workshops and information* aimed at local people – for example a base for an Open Day event one day, a drop in space to provide information on ash-dieback on another, and a stopping point with maps and trails linking sites
- *Learning activities* to include a temporary ‘lab’ for schools and groups (in conjunction with a parks visit) and training and workshops for adults
- *Volunteering base* for volunteers to meet, to start activities and for training, as DWT develops a volunteer programme
- *Community use* – a programme suggested by community members and which may for example include a regular café.



Spaces for information, learning and community

8. Our proposal

The Northbrook Approach site presents a fantastic opportunity to establish, enhance and safeguard a crucial natural infrastructure corridor in the city. Northbrook Approach holds the key to unlocking the greatest potential of the two largest Valley Parks, Riverside and Ludwell. With these two greenspaces under DWT management and with discussions underway between ECC and DWT about proposals for visitor facilities at Riverside, this is a perfect opportunity to work together to develop a proposal for the future of this strategically crucial site.

In summary, we propose to work in partnership to engage a diverse range of communities and stakeholders in the local area about the potential for the site as a Wild Arboretum and a community space. We will consider the site in the context of wider opportunities and proposals for the Riverside and Ludwell area and our discussions will inform our ongoing plans in the wider area. We are keen to hear people's ideas, to start a meaningful dialogue that will go on shaping projects into the future, and to get people involved right from the outset.