



Devon Countryside Access Forum
c/o Public Rights of Way team
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**Minutes of the Sixty-Eighth meeting
of the Devon Countryside Access Forum
held at Great Moor House, Bittern Road, Sowton, Exeter EX2 7NL**

Monday, 23 September 2024

Attendance

Forum members

Andrew Baker	Tino Savvas
Lucinda Francis	Sarah Slade (Chair)
Gordon Guest	Bryan Smith
Dean Holland	Tim Spray
Jo Hooper	Rosie Wibberley
Sue Pudduck	Glynn Yabsley

Devon County Council Officers and others present

Richard Walton, Public Rights of Way and Country Parks Manager, DCC
Hilary Winter, Forum Officer, DCC

1. Apologies

Apologies had been received from Jo Burgess, Councillor Richard Chesterton, Chris Cole, Tim Felton, Councillor Linda Hellyer, Lorna Sherriff and Robert Sewell.

2. Declarations of interest

There were no declarations of interest.

3. To approve minutes of the meeting held on 22 April 2024

Minutes of the meeting held on 22 April were approved and signed.

4. Matters arising

4.1 Network Rail

Daniel Hayes, Network Rail, had no update. He hoped to have further information for the next meeting.

4.2 A379 Bridge

A contractor was being appointed for the work following a procurement exercise. The DCAF would be advised of dates once timescales were known.

4.3 Woodbury Common. Deregistration and exchange of common land. Decision notice.

The decision notice was noted. Bryan Smith, who had attended the initial site visit on behalf of the DCAF and produced a report, said it was beneficial in every respect. The disruption caused by cabling work would be very short-term, a matter of days. The decision was eminently sensible, but it had required a lot of paperwork due to the importance of common land.

5. Meetings and events attended by members

5.1 Ridgetop Country Park

Several members had attended the site visit at Ridgetop Country Park following the last meeting. Sian Avon, Senior Ranger at Teignbridge District Council, had given an excellent and informative tour. The site was likely to increase in size once spoil tips were removed. The park included information boards and imaginatively designed sunrise and sunset seats. The site was very steep, requiring a 8mph scooter for disabled access users, and under-visited currently. Potentially it offered significant greenspace for the new housing developments. Putting in a zigzag path would be prohibitively expensive and would break up the field. The car park was small. After discussion, it was agreed to write recommending additional resting places and benches and dedicated disabled access parking at the top of the park.

Action: Forum Officer to circulate draft.

The park and housing was located in the Teignbridge District Council area, right on the edge of the City boundary. It was noted a new valley park would be created just inside the City.

5.2 Haldon Forest horse riding meeting

Tim Felton had attended the horse-riding meeting held at Haldon Forest Park in early May. It had been well-attended with criticism directed at Forestry England. Several areas of dissatisfaction were raised including:-

- difficulties in parking, particularly being blocked in by other visitors who did not appreciate the need for space for a horse trailer to manoeuvre;
- failure to mark routes as available to horses;
- access to routes becoming unavailable without warning or prior

- explanation;
- safety issues arising from:
 - mountain bikes travelling too fast and crossing intersections without looking;
 - dogs not under close control;
 - adults and children not appreciating that not all horses wanted to be patted by a stranger; and
 - entertainments such as zip-wires being positioned over/close to routes marked for horses.
- A general feeling that horses and riders were second class citizens when it came to the provision of access.

It was understood that there had been effective liaison with FE in the past and that FE was aware of the need for better communication. The consultation events were a useful part of that.

It was noted that there was dedicated access for horses at Harcombe with horsebox parking and little conflict in that area. E-bikes were able to travel further into quiet trails and it might be necessary to give greater separation between the two hubs.

It was agreed to write to Haldon Forest Park stating that a member had attended the meeting and provided the DCAF with comments. A watching brief would be kept on the situation.

Action: Forum Officer

5.3 Training Day, North Devon

The majority of members were able to attend the revised Training Day date at Braunton Burrows accompanied by Richard Andrews, King Charles III England Coast Path Senior Officer, Natural England; Simon Houghton, Senior Officer, Public Rights of Way; Lorna Sherriff, DCAF member and South West Coast Path Officer; and Tim Lay, Communications Officer with Christie Devon Estates. The site and scale of the Burrows was appreciated and the work Christie Devon Estates do to manage different areas of the Burrows for dog walking, cattle grazing and military training. The strategy of using social media to diffuse issues seemed to have good outcomes. It had been useful to see the heritage and D-Day aspects. The locked metal signs indicating whether cattle were grazing or not were an excellent way of conveying information.

The walk from Velator Quay had highlighted the issue of listed stone stiles on the route of the South West Coast Park. Proposed works to bypass these were supported and would enable use by those with disabilities. The Disabled Ramblers' Executive had been delighted to hear about the project.

The temporary closure of the South West Coast Path around Horsey Island and diversion onto the flood bank was viewed. It seemed intransigent that the closure could not be made permanent as erosion precluded any

opportunity to reinstate the route. The legal processes were acknowledged.

5.4 National Trust Killerton Landscape Recovery Project workshop

Sarah Slade had attended the workshop on behalf of the Forum and Gordon Guest had been present with Disabled Ramblers'. The project will receive significant Defra funding, alongside the Heaths to Sea Landscape Recovery Project in East Devon. Seedcorn money will be available to put together six plans over a two-year period, one to deal with access. There will be a thirty-year period to deliver the project. Fifty percent of the land will remain in agriculture.

The focus groups included farmers and tenants and a wide range of participants. Access-related discussion was rather peripheral and did not focus on managing people. It was hoped further work would be done on these themes. Tim Dafforn from the National Trust showed a map of proposed footpaths. A new bridleway is being put in between Daneshill and Colombjohn.

Richard Walton mentioned he had been invited to a transport strategy meeting with a consultant working on behalf of the National Trust to discuss the transport network and connectivity of Killerton and the wider estate to bus and rail links. During the DCAF discussion, concern was raised about a long-term problem with car parking as the surrounding network was poor and roads were narrow. The large carpark at Killerton was promoted but not small or free car parks in the vicinity and the visitor pressure was likely to increase if there were new car parks. Richard advised that the transport strategy discussion included connectivity to outlying, smaller car parks, as well as bus routes and residential areas.

Flooding parts of the National Trust estate would change the character and inevitably mean people would go elsewhere on the estate and change people's enjoyment of certain areas.

6. Correspondence log

The correspondence log was noted.

7. Public questions

A public question had been received from Eileen Parkes, resident and Chair of the Kingswear Neighbourhood Plan Group. "Now that the legislation regarding coastal access has come into force for the area of coastline including Kingsbridge, please can you tell us when the right of way to Lighthouse beach, footpath 8, will be opened by Devon County Council. We have waited patiently for a long time for this access and speedy action is needed. We would appreciate a quick reply and resolution to the situation."

Richard Walton, Public Rights of Way and Country Parks Manager, provided background and the legal steps that had to be undertaken to secure access.

The definitive map and statement relating to Kingswear Footpath 8 indicate that the path is located between Beacon Road and the beach. In basic terms, it is a cul-de-sac footpath to 'a point of interest'. However, with the King Charles III England Coast Path designation complete for this stretch, the beach is now part of coastal margin, and so benefits from the new coastal access rights. Although these access rights are now applicable, there are various stages to go through before the connection with Kingswear Footpath 8 can be reopened.

As an access authority, Devon County Council has powers and implementation of these potentially involves a three stage process through which the Council should be able to secure access between Footpath 8 and the beach and removal of the existing gate. The length of time to achieve opening will depend on how many of these stages need to be gone through.

1. Devon County Council negotiates with the landowner to request that the gate is voluntarily kept unlocked (or removed) and, if required, related remedial works are carried out. This first stage was about to happen.
2. If negotiation is unsuccessful, Devon County Council may serve notice on the landowner under measures and powers within the Countryside and Rights of Way Act 2000, and the Marine and Coastal Access Act 2009. The notice provides the landowner with a minimum of 21 days to carry out the required actions and may be followed by subsequent notices if these actions are not addressed.
3. If the landowner does not respond to a requisite number of notices, Devon County Council may pursue action through the Magistrates Court which could lead to fines and costs recovery.

These processes need to be gone through in sequence under the legislation. At stage 2, the landowner may appeal to the Secretary of State (via the Planning Inspectorate), albeit on limited grounds.

In relation to coastal access rights, the situation presented an unusual scenario.

A map was requested of the site and of any other sites being discussed by the Forum.

Action: Richard Walton

It was noted there had been historic use of the beach, evidenced by photographs.

After discussion it was agreed the Devon Countryside Access Forum is supportive of negotiations commencing with the landowner. The Forum is keen that the Council updates information as soon as reasonable due to the level of public interest.

An update was requested for the meeting in January.

8. Green Space Position Statement

References to Natural England standards had been revised in order to submit the Green Space Position Statement to a consultation. The change needed to be

approved. Members took the opportunity to make further updates which would be included in a revised draft to approve at the January meeting. These were as follows:

- In the last paragraph on the first page, it was agreed 'psychological' should be amended to 'mental'.
- Paragraph i). The reference to lighting should be low-level lighting and link to the lighting reports recently used in the Sidford to Sidbury planning application response. Low-level lighting was useful for blind people.
- Paragraph 1) should include mobility scooters and powered wheelchairs and refer to disabled users not disability users.
- Paragraph k) which refers to dogs should be more positive and mention safe, secure and designated places to exercise and let dogs off lead. Alongside this, mention should be made of dog-free areas.
- Future maintenance. The wording should be revised taking out the word 'seek' and state that section 106 funding should allow for commuted sums.
- Including control of invasive species was mentioned, although the duty is now not to spread. This could be included in paragraph f).
- A reference to education should be included.

Dean Holland suggested including references to green social prescribing; designing for women and girls; and promoting connectiveness and connections to nature to provide a better-quality experience. He agreed to provide links to relevant documents.

Action: Dean Holland and Forum Officer

9. National Landscapes Position Statement

The Areas of Outstanding Natural Beauty had been renamed as National Landscapes and were currently undertaking reviews of their five-year management plans.

It was noted that the Protected Landscapes Targets and Outcomes Framework (2024) set targets for improving and promoting accessibility and engagement with National Landscapes. It was acknowledged that these metrics were important to allow and encourage people to engage in different ways with the National Landscape.

The role of the DCAF in respect of National Landscapes is advisory.

The following comments were noted and would be incorporated in a revised draft position statement to be circulated to members to enable a response to be made to the Management Plan consultations for the five National Landscapes in Devon.

- Places were needed for both quiet enjoyment and noisier activities. A noisy environment felt safer for some people.
- The metrics for improving access were important and should be included within the overall vision.
- Making space accessible and respecting qualities of the landscape were key factors. Improvement did not necessarily mean more access.
- National Landscapes provided a distinctive experience.

- Account needed to be taken of the farmed and managed landscape.
- There should be a focus on the access needs of communities, encouraging the voices of local groups and drawing people in. Management Plans should seek to strengthen local communities and look at the needs of visitors.
- References to organisations at the top of the second page should be removed as there were many providers of access.
- The section on promotion should be moved above maintenance and improvement.
- Paragraph f) should be re-written to include improved access as well as new routes.
- Paragraph k) should be before paragraph j). Economic benefits should be separated out and put in paragraph q).
- Paragraph l). The word 'psychological' should be replaced by 'mental'.
- Paragraph m). After disabled access, add mobility scooters and powered wheelchairs. These were now included in updated definitions of public rights of way and it may mean the Disability Access Position Statement should also be reviewed.
- A reference should be made to managing invasive species.

Action: Forum Officer

10. Minutes of the Public Rights of Way Committee held on 11 July 2024

Minutes of the Public Rights of Way Committee meeting held on 11 July were noted.

11. King Charles III England Coast Path - commencement of new access rights and directions to restrict access

The commencement of new access rights between Minehead and Combe Martin and Kingswear and Lyme Regis were noted, together with maps showing access restrictions at Dawlish Warren and the River Otter. Attention was drawn to the fact that the River Otter map did not show the new South West Coast Path bridge but the exclusion area was correct.

12. Public rights of way update

Richard Walton, Public Rights of Way and Country Parks Manager, highlighted current matters.

- a) Staffing
Interviewing would take place shortly for the Senior Officer (Access and Trails) for South Devon. The current postholder, Steve Gardner, has moved to a warden post in response to a request to take up the more active, area based role (following the retirement of Jonathan Rowlands).
- b) Framework Agreement
The new Framework Agreement for DCC contractors for the next four-year period, commencing in April 2025, was being worked on and would be live in October. A new category had been added to include technical services such as prices for supporting inspections regimes and Environment Agency permits, and possibly also assisting with applications for path orders and

'Right to Apply'. Some of the contractors had relevant skills to deliver on these work topics.

The Chair confirmed the Stakeholder Working Group had not met recently and the implementation of rights of way provisions within the Deregulation Act had stalled following the Election and departure of a key civil servant.

- c) Rights of Way Improvement Plan
The Rights of Way Improvement Plan had been signed off by the PRoW Committee. The publication version was being worked on.
- d) Projects
A few projects were being explored under cross asset innovation funding through the capital programme, focussing on sensitivity to the natural landscape. At Instow flexipave was being used to reduce carbon and its robustness in a high use area would be tested. At Brayford a rockwheel technique was being assessed using regraded/recycled material. Contractors were being upskilled with the right procurement in place.
- e) Otterton footpath 1
The footpath, sited north of the new National Nature Reserve, was being eroded due to river movement. The Environment Agency had given approval for soft engineering and willow planting works, in two phases.
- f) Red Bridge, Newton Poppleford and Harpford
This had been impacted by storm and river movement. Discussions with the landowner were progressing to put the bridge and associated right of way in a different location involving land purchase and creation, diversion and extinguishment orders. The initial pre-application would be made this financial year. There was capacity to achieve biodiversity net gains, as required.
- g) Coast Path
Confirmation had been received from Natural England that a grant offer will be forthcoming to create a high tide route at Mothecombe. The contractor was liaising with the landowner. A new, safer path and traffic calming were being put in at Down End, Croyde following discussions with the landowner. This would be an alternative route to the South West Coast Path. At Watertown, Instow, the coastpath was being put back on the field edge and off the road. At Stoke Fleming an off-road section was being created around Shady Lane. These projects were at different stages with contractors and Natural England funding.
- h) Rodney Steps, Exmouth
Erosion and movement meant the current steps on Exmouth FP 1 to the beach were unsafe and had a closure notice. Engineering advice is that they should be removed, and geotechnical advice is that there is no alternative location. This will be monitored. There were two other beach access points.
- i) Stover Country Park
The opening event for the Restoring Country Park project was being held in November. The DCAF Chair would be attending. Works completed included

the visitor centre improvements, gatehouse conservation and lake de-silting. The Serpentine Lake and ornamental canal work was also finished. Future works included projects on Sibelco land, interpretation and waymarking.

An open day was being held on 16 November and details would be circulated to members.

Action: Forum Officer

j) **Beacon Lane, Kingswear**

The lane forms the original route for the South West Coast Path but was currently blocked by scaffolding. Beacon Road to the seaward side is a nicer route but not the official route. This had a partial closure and Traffic Regulation Order on it due to instability. The landowner had been required by a court order to do stabilisation work as it was not DCC property. Works had currently stalled and the situation may return to court. Once work was done, Beacon Lane would be assessed for cycling, walking and horse-riding and it may be waymarked as an alternative route.

13. Annual Report 2023-2024

The draft Annual Report was approved for publication. Dean Holland reported that the new paths in Northbrook Park had been well received. The building is due to be demolished in the near future and the Devon Wildlife Trust is working with Exeter City Council to reopen the car park.

14. To note and approve responses to consultations and submissions. To note any feedback.

14.1 Smarter regulation: proposed changes to legislation for electrically assisted pedal cycles. Department for Transport.

The response was noted and approved.

14.2 East Devon Local Plan

The response was noted and approved.

14.3 DCAF response - Lower Brenton Farm DCC/4337/2023

The response was noted and approved. The application had not yet gone to the Development Management Committee as additional information had been requested from the applicant.

14.4 Forestry England. New woodland at Quoditch.

The response was noted and approved. Members expressed disappointment that there had not been much change to the plans following consultee and community comments, for example on circular walks and a small car park.

As a statutory consultee, it was agreed to write to this effect and a draft would be circulated.

Action: Forum Officer

14.5 Creation of a new cycle and pedestrian multi-use path between Sidford and Sidbury. DCC/4404/2024

The response was noted and approved.

14.6 Soil Association. Stakeholder Consultation - Forest Management carried out by Forestry England

The response was noted and approved.

14.7 Tamar Valley National Landscape Management Plan review survey

The response was noted and approved. Attention was drawn to mis-spelling of Tamar in a couple of places.

15. Dates of meetings 2025-2026

Dates for 2025 – 2026 were agreed:

Monday, 20 January 2025

Monday, 28 April 2025

Week commencing 23 June 2025 – Training Day

Monday, 22 September 2025

Monday, 19 January 2026

16. Any other business

1. Devon Local Transport Plan v.4

Devon County Council's Cabinet meeting, held on 11 September, recommended that the draft Devon Local Transport Plan should go out for public consultation. The consultation period will be from 1 October to 30 November. The Countywide Local Cycling and Walking Infrastructure Plan and the Boniface Trail link will be consulted on during the same period.

It was agreed to hold a working group and dates would be circulated.

Action: Chair and Forum Officer

2. Presentations at meetings

Forestry England, Countryside Mobility or National Landscapes were suggested for the January meeting.

Action: Chair and Forum Officer

3. Devon and Torbay Combined County Authority

It was noted the Government intended to move towards the establishment of the Devon and Torbay Combined County Authority. There were currently no specific plans that would impact on public rights of way or countryside access.

4. Green Circle

Dean Holland confirmed the Devon Wildlife Trust was in discussions with Exeter City Council to restart the Green Circle working group.

5. Appointments to the Devon Countryside Access Forum

The Forum Officer reported that advertising would take place in late October to appoint members to commence in April 2025. This was earlier than usual to allow a longer time period for initial training prior to April. Existing members were welcome to reapply at the end of their three-year term.

DRAFT