



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

Attendance

Forum members

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

Charlie Lloyd
Sarah Slade (Chair)
Maggie Watson

Devon County Council Officers and others present

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

1. Apologies

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

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

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

2. Declaration of interests

There were no declarations of interest.

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

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

4. Matters arising

4.1 Exe Estuary Partnership Dog Walking Code (12.3 26.04.18)

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

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

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

Action: Ros Mills to publicise dog walking code.

It was agreed consistency was needed to reinforce the messages.

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

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

Action: Forum Officer to write to the Exe Estuary Officer

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

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

5. Public questions

There were no public questions.

6. Correspondence log

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

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

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

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

7. Report from Training Day held at Haldon Forest Park

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

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

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

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

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

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

8. Launch of the National Land Access Centre

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

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

9. Disability access update

Gordon Guest reported on progress with disability issues.

Dawlish Warren nature reserve

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

Dawlish Countryside Park

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

Jetty Marsh Nature Reserve, Newton Abbot

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

Dartmoor National Park

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

Culm Valley Trail, Clyst St George

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

Killerton to Broadclyst

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

Budleigh Salterton

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

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

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

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

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

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

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

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

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

11. Public Rights of Way update

Ros Mills provided a Public Rights of Way update:

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

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

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

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

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

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

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

13. Presentation by Roger English, South Devon AONB Manager

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

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

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

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

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

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

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

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

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

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

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

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

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

A discussion took place.

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

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

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

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

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

14. Areas of Outstanding Natural Beauty position statement

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

Action: Forum Officer to circulate Doodle poll.

15. Green space position statement

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

16. Coastal access progress reports from Natural England

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

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

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

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

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

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

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

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

16.1 North Devon - Combe Martin to Marsland Mouth

The report from Natural England was noted.

16.2 South Devon - Cremyll to Kingswear

The report was noted.

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

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

The response was noted and approved.

17.2 Cycling and Walking Investment Strategy Safety Review

The response was noted and approved.

17.3 Children's health and physical activity. ukactive

The response was noted and approved.

17.4 Stover Country Park. Heritage Lottery bid

The bid support letter was noted and approved.

17.5 Local Plan Review - Issues Consultation. Teignbridge District Council

The response was noted and approved.

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

The response was noted and approved.

18. Current consultations

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

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

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

Action: Forum Officer to circulate draft response.

19. South West Coast Path stakeholder meeting

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

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

Action: Forum Officer to contact Richard Walton.

20. Training Day on 2026

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

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

21. Any other business

There was no other business.

22. Date of next meeting

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

DRAFT