



**Devon Countryside Access Forum**  
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Minutes of the Forty-Fourth Public Meeting  
of the Devon Countryside Access Forum (DCAF)  
held at Great Moor House, Exeter  
Tuesday, 26 April 2016

**Attendance**

**Forum members**

Chris Britton (Vice Chair)  
Sean Comber  
Gordon Guest  
Cllr Jim Knight  
Laura Leigh (Chair)  
Sarah Slade  
Ellie Wonnacott

Simon Clist  
Mike Green  
Christine Ingram  
Linda Lee  
Mark Simpson  
Ted Swan

**Devon County Council Officers and others present**

Helen Clayton, Public Rights of Way, DCC  
Hilary Winter, Forum Officer, DCC

- 1. Apologies and welcome.** Apologies had been received from Chris Cole, Sue Pudduck and Cllr Philip Sanders. New members, Simon Clist and Linda Lee were welcomed.
- 2. Declarations of interest**  
The Chair read out the definition of interests from the Local Access Forum Guidance. No interests were declared. Members' interests and organisational membership were available on the website.
- 3. Minutes** of the meeting held on 26 January 2016 were agreed and signed.
- 4. Election of Chair and Vice Chair**  
The Forum Officer took the Chair. Laura Leigh was proposed as Chair by Sarah Slade and seconded by Ted Swan. Chris Britton was proposed as Vice Chair by Ted Swan and seconded by Ellie Wonnacott.

## 5. Matters arising

### 5.1 Dog advice

The draft Daily Wag article was discussed. It was agreed to add the desirability for dogs to be on leads in the vicinity of livestock and sheep injury statistics. Several members thought the article should convey stronger messages. The revised article would be agreed with the Chair and Vice Chair.

*Action: Forum Officer to re-draft article and send to Chair and Vice Chair.*

It was resolved a similar article should be circulated more widely to the press, subject to member approval.

*Action: Forum Officer to write and forward draft press release to members.*

### 5.2 Terms of Reference

The County Solicitor had agreed to change the timing for receipt of public questions from three days before a meeting to four working days. Additional updates would be made to clarify the terms of reference, reflecting recent changes and new weblinks. Members were asked to let the Forum Officer know of any sections requiring change.

*Action: Forum Officer to update Terms of Reference. Members to advise.*

### 5.3 Correspondence log

The Sidbury to Sidford cycling/walking route planning application had been withdrawn.

### 5.4 Smarter Guidance consultation

Members had been advised of the consultation. The Forum Officer had completed parts of the consultation questionnaire relevant to accessing information. It was evident there were problems with finding information and members were advised to complete the 'what's wrong with this page', as appropriate, on GOV.UK websites.

## 6. Public Questions

No public questions had been received.

## 7. Correspondence log

Attention was drawn to item 9, correspondence from Mr Charles, relating to accessibility for wheelchairs and tramper buggies along the river path between Budleigh Salterton and Otterton. The Forum Officer had sent a holding reply.

Gordon Guest presented a report, with slides, showing the access difficulties along the path which he felt could be overcome. The alternative route, along the parallel road to the east, was too steep for disabled users even with motorised assistance. A discussion took place covering landowners' requirements for gate structures, boundary gates between different landowners, river and flood erosion and requirements from the Environment Agency to minimise stock impact on riversides. Exiting from the path at the Otterton end currently involved steps. Some path furniture had been improved by DCC under the Public Service Agreement.

The Chair recommended and it was agreed that Gordon's report should be sent to DCC, with a request for feedback. It was noted East Budleigh with Bicton Parish Council had a P3 group.

**Action:** The Forum Officer to forward report to DCC and send a letter to Mr Charles informing him of the action taken.

## 8. DCAF attendance at meetings

### 8.1 Active Devon

Sue Pudduck's report from the Active Devon meeting was noted.

### 8.2 National LAF Conference

The Chair and Forum Officer had attended the conference in Bristol. Papers were now on the LAF website, Huddle, and available on request from the Forum Officer.

**Action:** Forum Officer to send disability presentations to Gordon Guest.

The Chair felt, in retrospect, that the conference did not allow sufficient time for networking and exchange of good practice with some presentations more appropriate for individual LAFs. It was agreed that it was important for Natural England to be aware of this. A summary of the feedback report would be sent to members.

**Action:** Chair to provide feedback to Natural England.

**Action:** The Forum Officer agreed to ascertain whether a generic password for the Huddle site was possible and to provide details from the Conference feedback report.

Conference proceedings subsequently available on-line at:

<http://publications.naturalengland.org.uk/publication/5560243957268480?category=7470149>

## 9. DCAF working group

### 9.1 Response to draft Enforcement Policy

The Chair expressed thanks to Steve Gardner, DCC, for a very useful session on enforcement policy. The draft response was discussed. It was agreed that the policy should be prefaced with a comment that enforcement comes into effect when liaison and negotiation fails and this should be reinforced later in the document. The policy should include a paragraph about how the public should contact the Public Rights of Way section. It was resolved that the draft should be sent to Steve Gardner, copied to members, with a request to see the final version before endorsement.

**Action:** Forum Officer to send response to Steve Gardner, Public Rights of Way Senior Manager, and members.

### 9.2 Comments on Public Rights of Way website

The draft response was agreed, subject to addition of carriage driving where permissible on restricted byways and byways open to all traffic. Comments were made reinforcing the need for a set of symbols to depict types of disabled route. Members emphasised that all information should be clear and easily accessible, particularly for public rights of way identification numbers which are required to report problems. It was hoped the map will be mobile friendly.

Helen Clayton, DCC, said the new mapping, already in progress, would include all other functions in DCC such as historic environment and environmental data. There would be little control in changing the overall look of the mapping but the DCAF

comments will assist in updating the webpages for Public Rights of Way. The new map would go live once everything was up-to-date and for the PROW map there would be a disclaimer that it was not the Definitive Map.

**Action:** Forum Officer to submit DCAF working group comments to Helen Clayton, Public Rights of Way Senior Manager.

### 9.3 Comments on legal/maintenance considerations for new routes

It was agreed the draft response should be sent to Ros Mills, Public Rights of Way Manager.

**Action:** Forum Officer to submit DCAF comments on the legal/maintenance toolkit for new routes.

### 9.4 Amendments to the landowner/manager liaison position statement

The revised draft was agreed.

## 10. Minutes of the Public Rights of Way Committee held on 17 March 2016

The minutes were noted.

### 11. Public Rights of Way update

Helen Clayton, Senior Manager, Public Rights of Way reported on the following items.

#### 11.1 Budget

Public Rights of Way had received a 3% revenue budget cut for 2016-17. There was concern about National Trail funding for the South West Coast Path as figures from Natural England were not yet available. This funding amounted to £104,000 in 2015-16 with DCC contributing a further 25% and £7,000 towards ferries.

#### 11.2 Capital Schemes

Significant schemes had been completed, following negotiation with landowners and partners, including Hope Cove seawall repair (South Hams) and Rockham Steps (North Devon). The Undercliff section of the South West Coast Path in East Devon had been re-opened and well received.

#### 11.3 Wardens' work

In addition to routine work, wardens were carrying out more detailed bridge inspections on public rights of way along with associated paperwork.

#### 11.4 Legal

Decisions were awaited on a couple of Planning Inquiries; a footpath at Sidmouth where the objectors did not appear, and a footpath at Hemyock, both based on user evidence.

An interim decision has been made on a Modification Order in Culmstock and Hemyock where the effect of the Order as made was to add a public right of way as a bridleway in one parish and a restricted byway in the other. The Inspector has proposed to modify the order by changing the status of the bridleway to a footpath, with the proposed restricted byway status unchanged.

The next Public Rights of Way Committee would be on 8 July.

### 11.5 Deregulation Act

Defra was aiming for July implementation which left little time to prepare policies and procedures. A report would be compiled for the July PROW Committee. Helen Clayton had attended a Westminster Briefing and an IPROW workshop would be taking place.

The new legislation would apply retrospectively to existing Definitive Map Modification Order applications and work will be involved in sifting those. It was unclear what the implications would be of the right to apply provisions in the Act.

### 11.6 Parish Paths Partnership

Grants had been allocated and a newsletter would be available shortly. No decision had been made on the format of this year's workshops.

### 11.7 Multi-use

A useful meeting had been held with Devon and Regional representatives from the British Horse Society. The BHS had been impressed with progress on the Definitive Map Review in Devon. At the meeting DCC emphasised the private nature of any negotiations it may be having with individual landowners, but suggested to the BHS that working with publicly funded and charitable organisations on new access, such as the National Trust, would be a positive step.

An internal DCC multi-use meeting would be held in May. John Baker, DCC warden, had trialled some surfacing on the Tarka Trail and this had been commended by Safer Travel colleagues.

*Action: Helen Clayton to forward details of John Baker's work.*

### 11.8 Ramblers' Pathwatch

The Ramblers had completed its Pathwatch reports for each highway authority and these would be received shortly.

### 11.9 LAF questionnaire

The National ADEPT group would be circulating a questionnaire to highway authorities on LAF work.

### 11.10 Coastal Access

Meetings with wardens were taking place. Natural England had written to landowners. There was some concern about the accuracy of erosion maps. There will be local one-off meetings with wardens to look at particular hotspots.

## DISCUSSION

**11.11 Coastal access.** It was agreed it would be useful to know when meetings are taking place on coastal access so that input, particularly on higher rights and implications of roll-back provisions, can be made. Natural England would be asked whether drop-in sessions, held elsewhere, will be taking place.

*Action: Forum Officer to enquire about public meetings for coastal access.*

**11.12 Undercliffs.** DCC was thanked for its work on the Undercliffs. Steve Gardner had undertaken much of the negotiation.

- 11.13 River Coly.** Helen Clayton reported that determination of a DMMO for the deletion of footpaths in Northleigh/Farway/Colyton/Southleigh had been deferred by the Planning Inspectorate and will now be settled following written representations in the summer.
- 11.14 Local Shows.** It was confirmed that, due to resources, PROW was not attending local shows in 2016.
- 11.15 Definitive Map Review.** The Deregulation Act took a common sense approach to some anomalies and historic routes. Modification consent orders would be possible where the landowner agrees, with a provision to divert routes but not to alter status. January 2026 remained the cut-off date but details on exceptions were awaited. These were likely to include applications pending and the list of streets. 2026 will have less impact in Devon due to its parish by parish process.

***Action:** Helen Clayton, DCC, to forward a map showing parish review progress and a list of Definitive Map Review officers.*

## **12. To consider current consultations**

### **12.1 Department for Transport. Cycling and Walking Investment Strategy**

The summary was discussed. It was agreed the strategy had an urban focus with little mention of rural areas. It was agreed the response should include:

- The need to rural proof the strategy and ensure recreational and work journeys were not separated. Access routes to rural facilities and primary schools were important.
- Rural roads were dangerous, as evidenced by statistics. This should be recognised. Sharing space and quiet lane projects should be explored.
- Funding through Neighbourhood Plans and Local Plans, taking into account local views, should be recognised with potential funding sources over and above s106 and the Community Infrastructure Levy.
- There was a question mark over the validity of 20mph speed limits.

***Action:** Forum Officer to circulate initial draft response.*

### **12.2 Buttercombe Barton to Spreacombe Bridge trail – planning application DCC**

The application had been received after the agenda had been circulated. The Chair referred to some of the detail and to the list of consultees. It was agreed the planning link should be forwarded to members, together with the initial DCAF pre-application response and reply from DCC.

***Action:** Forum Officer to circulate details.*

## **13. To note and approve the following responses submitted since the last meeting.**

### **13.1 Coastal access response, Natural England – Lyme Regis to Kingswear**

The response from the DCAF was noted and approved. The reply from Natural England was noted and the following points raised.

- Point 1 (Issues) - It was agreed that it was critical to understand the implications for landowners in the medium term, particularly for those potentially affected by roll-back. The Environment Agency data to 2025-30 was considered insufficient.
- Point 2 (Issues) - The response about consultation with landowners should be expanded.

- Point 3 (Issues) - It was felt Natural England misunderstood the point. The designation of the path and how it affects future development and how future development affects the path needed to be appreciated.
- Point 6 (Opportunities) - The suggestion that the DCAF could provide more information on potential sites suitable for disabled users was noted. Gordon Guest offered to do an initial assessment.

**Action:** *Gordon Guest to scope opportunities for enhanced access.*

- Point 8 (Opportunities) - The England Coast Path was a means of conveying the value of the coast and its history to the public, as well as responsible use. It was hoped Natural England would do more on this.

**Action:** *Forum Officer to circulate draft response to Natural England.*

### **13.2 Bishops Clyst Neighbourhood Plan response**

The response was noted and approved.

### **14. LAF Annual Report to Defra**

The LAF Annual Report to Defra, compiled by Natural England, had been received. This provided excellent examples of work done by individual LAFs and the range of issues covered. The report commented on the lack of landowner representation on some LAFs. Natural England would continue to support LAFs through Huddle, regular newsletters and the National Conference. Limited engagement with Local Nature Partnerships, Local Enterprise Partnerships, Local Action Groups and Health and Well-being Boards was highlighted and Natural England would do more to help LAFs engage with these bodies. The LAF Annual Survey would be available shortly.

### **15. DCAF Annual Report 2015-16**

A draft had been prepared. The Chair suggested refreshing the format and including the Chair's report later in the publication. It was suggested photos and weblinks should be added. Members were asked to forward any ideas.

**Action:** *Members to comment on the DCAF Annual Report.*

### **16. Work Plan 2016-17**

It was agreed an Environmental Health Officer and Police SPO should be invited to address the October meeting. Helen Clayton agreed to compile a written Deregulation Act update.

**Action:** *Forum Officer to arrange speakers for autumn meeting.*

### **17. Training Day**

After discussion, it was agreed a training day with a health theme would be useful. An approach had been made to Exmoor to suggest a joint training day and a definite reply was awaited.

### **18. Next Meeting**

This was changed to Thursday, 13 October.

**19. Any other business**

- 19.1 P3.** An alphabetical list of P3 parishes was available. Some parishes were not interested in joining but members of the community may well approach their parish following receipt of P3 leaflets or the 10 Steps Guide.
- 19.2 Disabled walks.** Disabled Ramblers had joined with Cornwall Council to promote disabled walks on the website. This initiative could be explored further by the DCAF and DCC.
- 19.3 Bridleway Gate trail**  
Natural England would be taking a report on findings from the bridleway gate trial in Yorkshire to the British Standards Working Group in May.

*Following the meeting Forum members visited the Devon Heritage Centre to view the range of historic records used in the Definitive Map Review process and to see specialist archive storage and conservation areas.*

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