



Devon Countryside Access Forum
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**Minutes of the Sixty-Second meeting
of the Devon Countryside Access Forum
held at Westbank Community Health and Care,
Farm House Rise, Exminster EX6 8AT
Thursday, 20 October 2022**

Attendance

Forum members

Andrew Baker	Jo Hooper
Joanna Burgess	James Nevitt (virtual)
Cllr Richard Chesterton (virtual)	Sue Pudduck
Chris Cole (Vice-Chair)	Tino Savvas
Tim Felton	Sarah Slade (Chair)
Lucinda Francis	

Devon County Council Officers and others present

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

1. Apologies

Apologies had been received from Holly Daniels, Gordon Guest, Councillor Linda Hellyer, Sue Leith, Robert Sewell, Lorna Sherriff, Bryan Smith and Tim Spray. The change of date from the day of the State Funeral meant fewer members able to attend.

2. Declaration of interests

There were no declarations of interest.

3. To approve minutes of the meeting held on 25 April 2022

Minutes of the meeting held on 25 April were approved and signed, subject to amending a couple of typographical errors.

4. Matters arising

4.1 DCAF Position Statements and vulnerable users

The DCAF Position Statements had been amended to include vulnerable users, where appropriate. A link to the up-to-date statements would be circulated.

Action: Forum Officer.

4.2 DCAF training events

Andrew Baker was thanked for offering to host a farm-based training event focussing on public rights of way. The poor weather forecast had meant it unfortunately had to be cancelled. A new date would be discussed at the January meeting.

Action: Forum Officer

5. DCAF events and representation at meetings

5.1 Dartmoor Way launch

Jo Burgess had attended the formal launch of the Dartmoor Way in April. The Devon Ramblers' had actively looked at the route and Dartmoor National Park Authority had been involved in practical work and promotion. Jo Burgess had subsequently completed the walk, finishing with the High Moor link in August. It was well-signed, but she had reported instances where signs were difficult to follow. There was a separate cycling route. Confirmation was requested as to whether this was a multi-use route.

Action: Jo Burgess and Forum Officer

5.2 Lower Otter Restoration Project. Liaison group meeting.

Chris Cole had attended the Lower Otter Restoration Project Liaison Group meeting. The project was largely on target. The footbridge was being realigned in a minor way for construction reasons. The FAB Link interconnector project in the valley looked less likely and the option agreement with Clinton Devon Estates would run out in 2024. However, the FAB link is likely to benefit from a compulsory purchase order if the option agreement has expired and would mean excavating footpath 12 and the installation of additional infrastructure

A new sewer outfall pipe is to be installed by directional drilling from Lime Kiln car park to the far side of the River Otter to ensure it remains below the tidal range and is not susceptible to damage.

Many of the major paths would have a concrete surface. Richard Walton

confirmed specialist advice had been provided by the Materials Lab at DCC to look at materials to withstand water pressure and concrete had been selected for some path sections. As the project involves road realignment, other 'highways' teams at DCC were also involved in influencing specifications. There were supply shortages of some materials, for example recycled/ composite plastic path edging, and so hard wood was being used as an alternative. Some changes had been made to fencing to minimise use of barbed wires. The FAB Link interconnector project may provide future opportunity to upgrade the width and surface of Footpath 12.

It was confirmed that the breach to allow the valley to flood will take place in May 2023.

It was suggested and agreed that the DCAF continue to monitor the development of the project. A training day visit was suggested.

5.3 Parish Paths Partnership (P3) workshops

Tim Spray had attended the East Devon event.

5.4 Other meetings

The Chair reported that the national Stakeholder Working Group continued with its work.

6. Correspondence log

After the Correspondence Log had been published, the Chair had advised a response to a consultation by the Forestry Commission on a thinning licence for removal of diseased trees at Beckland Woods, between Bideford Bay and Hartland, was appropriate. A brief response had been made stating that the DCAF recognised the need to remove such trees for public safety reasons and that any public rights of way closures should be well-signed. This would be on the next correspondence log. Approval for this response was given.

The need for dates on temporary closure or diversion notices was raised as this impacted on people planning walks. Richard Walton confirmed that, if available, dates were put on (including in the press notices) for example, if a six-month closure was required but works were programmed for completion prior to the legal end date; however this is often not feasible.

It was noted the Devon Ash Dieback Resilience Forum give advice on replacement with alternative species.

It was agreed to send an addendum stating that dates of closures would be helpful.

Action: Forum Officer.

Work by Network Rail included on the correspondence log was noted. The new wall section mentioned in item 3 had not yet opened.

Andrew Baker mentioned that Network Rail planned to close paths crossing railway lines for safety reasons, including one at Rewe. It was noted a path at Silverton also crossed the line. A presentation on level crossing closures had been given at the National LAF Conference in 2017.

Richard Walton confirmed that the PRow team were involved in networking meetings with Network Rail and requested details of specific instances from members. Any proposals impacting on a public right of way were required to follow the appropriate legal process.

The Institute of Public Rights of Way Officers had been working with Network Rail on these issues and the production of good practice guidance. Richard Walton confirmed that IPROW had been trying to lobby and encourage Network Rail to keep paths open and that Network Rail was looking at alternative options such as kit bridges. There were some crossings on the Two Moors Way which Network Rail had committed to upgrade rather than trying to pursue permanent closure/ extinguishment.

It was agreed the DCAF should ask to be consulted on proposals and a relevant Network Rail contact would be ascertained. Andrew would supply further information on the Rewe issue.

Action: Andrew Baker and Forum Officer

Correspondence log item 2 referred to problems with the online portal. Richard Walton said that the reporting portal map did not give information on the type of fault so people did not know if their issue had already been reported. It was proposed to improve this and provide visual or text indicating categories of fault. He agreed to keep the DCAF updated on progress.

Action: Richard Walton

7. Public questions

There were no public questions.

8. Minutes of the Public Rights of Way Committee meeting held on 30 June 2022

Minutes of the Public Rights of Way Committee held on 30 June were noted. A Modification Order for the Schedule 14 application (item 33 – Parishes of Loddiswell and Aveton Gifford) had not been made. An indication had been given that this decision might result in an appeal to the Planning Inspectorate by the applicant, but Richard Walton was not sure that this had been done within the required timescale.

9. Public Rights of Way update

Richard Walton, Public Rights of Way Manager, gave the following updates:

Staffing

- The Technical Officer post had been filled by Rachel Dixon. The response rate was good, with several impressive candidates.
- Peter Guy, warden in south Devon, had taken early retirement and his post would be advertised.
- Despite advertising three times the Senior Officer post, Legal and Development, had not been filled. Discussions were taking place with service heads to reassess the post. Recruitment issues were on the strategic risk register for the Council.

Budget

Devon County Council faced a £40m funding gap due to inflation and additional costs to support children and vulnerable adults. The Council was looking at areas where savings could be made. The PRoW budget was not currently directly impacted, and revenue and capital budgets were fully allocated. PRoW contractors were permitted to adjust their rates mid-term to partly deal with inflationary pressures.

Removal of barriers

Devon County Council had committed to remove barriers where assessed as feasible on multi-use trails and replace with signs, markings and/or bollards. This was a positive improvement for all users, including people with mobility scooters. The process was being coordinated through the road safety team but no specific programme was in place. Richard Walton requested examples of barriers that could be removed which he could pass on to be audited.

Stover Country Park

An application to the National Lottery Heritage Fund for £2.5m had been successful. The overall project cost was around £4m and would include restoration of the lake and granite gatehouse, new paths, an improved visitor centre and engagement work with under-represented groups. A meeting is taking place with the NLHF to ensure legal requirements were in place to proceed. Historic England was very involved and the aspiration is to work with Stover School on additional listed buildings in a later phase. Two project team members were leaving and these posts would be filled, possibly including through secondment.

BHS/Ramblers

A joint training event was being held, led by Phil Wadey and Sarah Bucks, to look at historical sources used to provide evidence for Definitive Map Review claims. DCC carried out its Definitive Map Review on a parish-by-parish basis and many claims may already have been considered as part of that process.

Richard Walton said he was liaising with the BHS about use of trails. Network Rail did not permit horse use on the Exe Estuary Trail. On other trails some structures were not to required standards or landowners had not given permission for horses. The intention was to audit trails to identify sections which could be made available.

Definitive Map Review

The Definitive Map Review process had slowed during CoVID, with a subsequent move to online meetings. Progress had returned to normal and the team was on

target to complete by 2026. The 2026 date is due to be abolished but this had not been implemented in regulations. The DMR map would be shared with members.

Action: Forum Officer

England Coast Path

- The dramatic path at Torcross had been restored on its original line.
- Funding had been approved for restoring a causeway path on the beach at Down End at Croyde and a new contractor had been lined up to complete the work. This should be done by the end of 2022, depending on weather.
- A bid is due to be put in shortly for signs on the Kingswear to Lyme Regis stretch. Natural England can then finalise arrangements with the Secretary of State to open the route. Once the England Coast Path is open, the County Council would have powers to facilitate coastal access rights, for example at Lighthouse Beach. Legal costs would fall to DCC. The South West Coast Path Association and National Trail Officer were providing support.
- As a result of a court case, the landowner of the unstable cliff at Beacon Road, Kingswear, had been required to carry out stabilisation work and contractors were on site. Once complete, a safety audit would be carried out by DCC to ensure it was stable to reopen for non-vehicular traffic. An alternative route for the South West Coast Path (and England Coast Path) could then be signed providing walkers with the option to use Beacon Road.
- Bids for a high tide route at Mothecombe (South Hams) and improvements at Dyer's Lookout (Torridge), which had been agreed with the landowner, were progressing slowly.

10. Rights of Way Improvement Plan review

Richard Walton explained that the Rights of Way Improvement Plan was a legal requirement under the Countryside and Rights of Way Act 2000 and had to be reviewed every ten years. The Devon RoWIP had been published in 2005 with a review in 2012.

The RoWIP examines how the network meets the needs of the public, including those blind or partially-sighted or with mobility problems. The network connects people and communities and is important for health and well-being, as evidenced during CoVID-19. Statistics and anecdotal evidence provided information on the mental and physical health benefits. The RoWIP is strategically important and fitted in to Devon County Council's Strategic Plan. The Devon Highway Infrastructure Asset Management Plan, of which Public Rights of Way is a subset, also included policies, strategies and action plans. This document was also being reviewed and there was the opportunity to optimise priorities.

As part of the review, Richard Walton was asking groups about changes over the past ten years and priorities which can inform the RoWIP. He requested a DCAF working group to sift responses and look at priorities and potential changes to the RoWIP, which will either be refreshed or an addendum added. The working group can report back to the next DCAF meeting in January.

Richard Walton asked DCAF members to feed back their own thoughts and suggestions through the Forum Officer. He confirmed that the RoWIP will have an Equality Impact Assessment.

The Forum Officer would circulate dates for a working group.

Action: Forum Officer.

11. Riverside Valley Park, Exeter

Members noted and formally approved the report from Gordon Guest. It was resolved that it should be submitted to Devon Wildlife Trust. DWT would be thanked for improvements it had undertaken but requested to explore additional work to improve disability access. The reference to cycling on page 1 would be removed as it was not a cycling route.

Action: Forum Officer and Gordon Guest.

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

12.1 England Coast Path - Variation Report CMM VR 11 Down End, Croyde, North Devon. Natural England

The response was noted and approved. A decision by the Secretary of State was awaited following a visit by the Planning Inspector.

12.2 Tamara Landscape Partnership Scheme coast to coast walk - Tamar Valley AONB

The response was noted and approved.

The Tamara Landscape Partnership Scheme team had looked at suggestions and finalised details of path improvements needed. Work had begun on researching the history and points of interest. It was planned to open the route in spring 2023.

A writer had been commissioned to create 28 walks of varying lengths from villages and train stations in the Tamar Valley, downloadable from the website.

It was agreed an update would be requested, plus responses to points made in the DCAF letter.

Action: Forum Officer

12.3 Drake's Trail. Clearbrook to Roborough multi-use trail consultation, Devon County Council

The response was noted and approved.

Results of the public consultation had been analysed. 89% of respondents supported a new trail and 76% said route B would serve them better – the route supported by the DCAF. Findings will inform further development of the proposed route.

12.4 Lower Otter Valley - planning application 22/0804/VAR

The response was noted and approved.

The application was approved with conditions on 1 June 2022

12.5 Planning application 22/0711/FUL - Car park improvements at Estuary View, The Warren and Woodbury Castle

The response was noted and approved.

The planning application had been approved with conditions on 12 July 2022.

The East Devon Pebblebed Heaths status as a Natural Nature Reserve meant access had to be managed. Visitor numbers had increased markedly since CoVID so that they had already reached numbers projected for the end of the ten-year plan.

It was mentioned that car park improvements had resulted in a more urban feel with hard landscaping and that closure of informal parking had caused people to seek out other places. The closure of Estuary View car park was noted with regret.

It was agreed the Forum should continue to engage and monitor developments.

Action: Chair and Forum Officer

12.6 Clyst Valley Trail consultation, Devon County Council

The response was noted and approved.

A consultation report was being compiled.

12.7 Dog legislation

The response was noted and approved. It illustrated how complicated and difficult it was for dog owners to comply with legislation.

The feedback from Natural England, just received, had been forwarded to members.

The lack of consistency was raised, and it was suggested and agreed that a letter to Defra should be sent. Dartmoor LAF should also be contacted initially as the National Park Authority was looking at its bylaw review. It was agreed it would be useful to send the DCAF letter to local authorities in Devon.

In the future, it was agreed it would be helpful to engage with other Local Access Forums, user groups and landowning organisations to see whether a combined approach on this matter could achieve a positive outcome.

Devon Loves Dogs would be giving a presentation at the next DCAF meeting.

Action: Forum Officer

12.8 Review of statutory directions at Gittisham Hill. Natural England consultation

The response was noted and approved.

Natural England had made a decision to revoke the directions at Gittisham Hill. The landowner could continue to use the discretionary day process to close the hill for shooting purposes.

It was noted that some access gates were no longer stockproof and had been made secure which meant they no longer functioned as gates. The land agent had stated that the estate would be very happy if DCC wished to reinstate these access points. Richard Walton confirmed that this was a discretionary rather than statutory duty which could not be adequately resourced at the current time, despite a wish to do so, and priority had to be given to statutory work and core activity. Priorities in the Rights of Way Improvement Plan and the Highway Asset Management Plan gave an opportunity to be more proactive and pick up such a scheme with the land agent when time and finance permitted.

12.9 A379 bridge, near Matford, Devon County Council

The response was noted and approved.

Whilst the design for the landing areas with seating appeared good, it was unclear why the step to resting areas on the bridge itself could not be overcome. It was important to get a good outcome following guidance, as at Sidmouth, to ensure people with limited mobility, for example with mobility scooters or pushchairs, could use the rest areas.

Gordon Guest had agreed to assist with an access audit, and it was agreed that he and Jo Hooper should liaise over input.

Action: Forum Officer, Gordon Guest and Jo Hooper.

12.10 Walking, Cycling and Horse Riding Assessment (A382 between Newton Abbot and Drumbridges Junction)

The response was noted and approved.

13. Current consultations

13.1 A38 corridor - Access Review. Dartmoor National Park Authority

The Chair suggested that individual members respond if they have proposals for specific routes. Richard Walton confirmed he was comfortable with the consultation covering areas within and outside the National Park.

It was resolved to submit relevant DCAF position statements to inform the consultation.

Action: Forum Officer

14. Any other business

14.1 Fire Beacon Hill, Sidmouth

14.1 Fire Beacon Hill, Sidmouth

A consultation event took place at the end of September to discuss putting overhead electricity wires underground. As this is Common Land, an application would need to be made to the Planning Inspectorate for consent.

It was agreed the DCAF should support these proposals, requesting that access is managed when works take place and that the ground should be made good afterwards. The site was prominent with far-reaching views.

14.2 Pebblebed Heaths

The East Devon Pebblebed Heaths Conservation Trust would be submitting a bid to the National Lottery Heritage Fund for engagement activity and sought letters of support.

In principle, it was agreed the DCAF should support this project but it would be useful to understand further details including how it would enable people to reach the Heaths and the infrastructure required. The Chair and Forum Officer would agree an email.

Action: Chair and Forum Officer

14.3 Adventure Okehampton

An email had been received from Adventure Okehampton updating the DCAF on new facilities at its site, including a range of new e-trikes and e-cycles for hire suitable for disabled people or those balanced

challenged.

They had noticed the publicity about removing barriers on multi-use trails and requested information on the process. It was agreed Adventure Okehampton should be asked for details on specific gates and other barriers that would be useful to remove.

Richard Walton agreed to talk to Sustrans about possible signs for the NCN 27 route, between Jacobstowe and Abbeyford Woods, which Adventure Okehampton had identified as a safety risk as there were insufficient signs to indicate it was a cycle route.

The correspondent had requested an update on plans to construct the Meeth to Hatherleigh section of NCN 27, currently on-road, and this would be supplied.

Action: Richard Walton and Forum Officer

- 14.4 *BHS/Ramblers Restoring the Record training event*
Tim Felton and Sue Pudduck would be attending the event on Saturday, 22 October.

15. Date of next meeting and proposed dates for meetings 2023/24

The next meeting would be on Tuesday, 31 January 2023.

Meeting dates in 2023/24 would be:

Monday, 24 April 2023
Monday, 18 September 2023
Monday, 22 January 2024

Training events would be discussed at the next meeting.