



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

**Minutes of the Sixty-Seventh meeting
of the Devon Countryside Access Forum
held at Westbank Community health and Care, Exminster EX6 8AT**

Monday, 22 April 2024

Attendance

Forum members

Andrew Baker	Gordon Guest
Cllr Richard Chesterton	Sarah Slade (Chair)
Tim Felton	Bryan Smith
Lucinda Francis	Tim Spray
Gordon Guest	Rosie Wibberley
Dean Holland	

Devon County Council Officers and others present

Philip Hackett, Access Field Officer, South West, British Horse Society
Daniel Hays, Network Rail
Lianne Venning, Network Rail
Richard Walton, Public Rights of Way and Country Parks Manager, DCC
Hilary Winter, Forum Officer, DCC

1. Apologies and welcome

The Chair welcomed new members Dean Holland and Rosie Wibberley and congratulated Andrew Baker and Sue Pudduck on their reappointment.

Apologies had been received from Jo Burgess, Chris Cole, Cllr Linda Hellyer, Sue Pudduck, Tino Savvas, Robert Sewell, Lorna Sherriff and Glynn Yabsley.

2. Declarations of interest

There were no declarations of interest.

3. To approve minutes of meeting held on 22 January 2024

Minutes of the meeting held on 22 January 2024 were approved, subject to amending the last sentence of paragraph 17.3 to read "Previously concerns that permissive access could become permanent were perceived as a deterrent to uptake."

4. Matters arising

4.1 Network Rail, Sandy Lane, Rewe

The letter to Network Rail was noted and approved.

Dan Hayes, Level Crossing Manager for Network Rail, and Lianne Venning, Route Level Crossing Manager, were welcomed.

The crossing was now open. Dan Hayes recapped on the history of the pedestrian crossing and unauthorised use by motorbikes captured on video. The crossing had been closed for a significant period to allow improvement works to take place. It was acknowledged that the new gates reduced access for disability users and means of improving this were being explored. He suggested motorbike inhibitors might prevent motorbikes but would not inhibit cyclists.

Gordon Guest advised that motorbike inhibitors may prevent disabled ramblers. A successful court case in Newcastle ruled it was illegal to obstruct disabled users. He suggested radar key gates might work, provided these were regularly oiled and maintained. Keys could be given to local people. Gates would need to be at least 1m wide between the posts. 'Airlock' type gates would also provide a better solution than an A frame.

A member of Network Rail staff was currently in conversation with a local resident keen to secure disability access.

Signs could be erected to advise that certain users cannot use the crossing. There may be an option to explore a Traffic Regulation Order on the road to restrict motorised use, through the DCC Mid Devon Highways and Traffic Orders Committee. The Parish Council would have a key involvement in that process.

Andrew Baker, also Chair of Rewe Parish Council, congratulated Network Rail on the improvements to the crossing. He raised the question of visibility on the line northwards and that it would be useful to know which direction the train was coming from. Dan Hayes, Network Rail, confirmed that an eighteen second crossing time was built in and that factored in disabled use. The crossing now had a better surface and was a straighter crossing. He was asked to consider whether it was possible to provide additional information to assist people crossing.

It was agreed Gordon Guest and Network Rail should liaise over potential structures via the Forum Officer.

Action: Gordon Guest and Forum Officer

4.2 Local Cycling and Walking Infrastructure Plans

The Local Cycling and Walking Infrastructure Plan position statement, as

drafted, was agreed. It was explained these specific statutory plans only included cycling and walking.

4.3 Lower Brenton Farm planning application

Further information had been requested from the applicant. The date for determination by the Development Management Committee (DCC) will depend on submission of this plus any need for further consultation.

4.4 Sidbury to Sidford cycle route, Devon County Council

The consultation report had been published by WSP. The majority of participants had been supportive. DCAF comments had been included in tables related to concerns. DCC had been requested by WSP to consider the report as part of processing, validation and assessment of the planning application. It was not known when the planning application would be submitted.

4.5 Defra response on dog issues

The report from the Responsible Dog Ownership Working Group had not yet been published. This was likely to focus on dangerous dogs and not the DCAF's concerns about the plethora of dog legislation on different types of land and from area to area.

The national Local Access Forum SharePoint site discussion area was not up and running which reduced wider consideration on the topic by LAFs across the country.

Action: Forum Officer to send dog legislation summary to new DCAF members.

4.6 Devon Countryside Access Forum information pack

The Forum Officer reported this was in progress.

Action: Forum Officer

5. Election of Chair and Vice Chair

The Forum Officer took the Chair. No members had put themselves forward for the position of Chair. A discussion took place with the current Chair, Sarah Slade, explaining the need to have an orderly transition. She asked whether members might step up to assist or be copied in to emails to see what the role involved. Tim Felton would discuss this with Sarah. Tino Savvas had offered by email prior to the meeting to help in sharing some of the additional responsibilities, such as additional meetings.

It was agreed the roles of Chair and Vice Chair would be on the agenda for the September meeting. In the interim Sarah Slade was re-elected Chair, proposed by Andrew Baker and seconded by Bryan Smith. All in agreement. Chris Cole was re-elected as Vice Chair, proposed by Andrew Baker, and seconded by Bryan Smith. All in agreement.

6. Public questions

There were no public questions.

7. Correspondence log April 2024

The correspondence log was noted.

8. Report on meetings attended by DCAF members

8.1 Otter Estuary. National Nature Reserve opening

The Chair had attended the opening of the Pebblebed Heaths National Nature Reserve which had been enlarged to include the Otter Estuary, one of the King's new NNRs. This had been a high-profile event with the Environment Minister and Chair of Natural England present.

The restoration project on the Lower Otter had developed well with a lot of wildlife interest. The footpath to the west of the estuary is being impacted by some tides which, although recognised as part of the project, was a concern. Richard Walton confirmed that the footpaths will be monitored. The Materials Laboratory, DCC, was not overly concerned with the water as it is not at a high velocity. It was noted that cyclists were using this path.

Improvements for disabled access had been created by installing a ramp at the Otterton Mill end. The whole riverside path cannot currently be used due to erosion. Some of the gates outside the immediate project area were not accessible and Gordon Guest asked the Devon Countryside Access Forum to advise that these should be improved.

Richard Walton confirmed that the remaining legal work was being completed to allow highway adoption of the raised South Farm Road and diversions of footpaths.

9. Rights of Way Improvement Plan Review

Richard Walton recapped on the process. The review sought to update the objectives and policies of the 2012 document, informed by the DCAF working group meetings and through reports to the DCAF and Public Rights of Way Committee. He hoped to sign off the document at the July PRoW Committee meeting.

In-house consultations had taken place with the PRoW team, Environment group and Transport Policy team as well as externally with P3 groups, National

Landscapes, National Parks and representative bodies and groups. Draft documents had been put on the website.

Some amendments may have to be made depending on regulations arising from the Deregulation Act 2015 and agricultural support systems. A five-year review is planned.

A discussion took place on whether stiles should be incorporated in policies A23 and C3 and whether this might open the RoWIP to legal challenge following successful court cases about obstructions to disability access. This was noted but A23 referred to permissive access with different legal obligations and C3 concerned making path furniture less restrictive. Richard Walton confirmed that, although the RoWIP drew on British Standards, there were situations where DCC did not have the power to remove a stile or kissing gate. The document aimed to secure the least restrictive approach. DCC will no longer fund stiles. Complaints had been received about the airlock gates at Clearbrook, but these were the minimum acceptable to the landowner. Sometimes the Definitive Map and Statement references a stile. It was now rare for a landowner to insist on a stile.

It was felt policy B20 stating that consideration will be given to encouraging corporate and community volunteering days was not worded as strongly as B19 which mentioned opportunities will be sought to encourage and extend joint working with organisations and engage with the DCC Corporate Parenting Team. Richard Walton explained that some volunteering opportunities had been arranged at Stover, for example with National Highways, but other requests sometimes had to be turned down - for example, if at the wrong time of year.

It was suggested that Richard Walton should consider changing the review date from 2028 to 2029.

Richard Walton was thanked for his work and a hope was expressed that the document would invite engagement and feedback. It was noted that it was positively used in determining the capital programme priorities.

The Chair proposed endorsing the RoWIP document and this was agreed.

10. To note minutes of the Public Rights of Way Committee held on 7 March 2024

Minutes of the Public Rights of Way Committee held on 7 March 2024 were noted.

11. Public Rights of Way update

Richard Walton, Public Rights of Way and Country Parks Manager, gave an update.

Budgets

The revenue budget for 2024/2025 was approximately £1m. This had not been increased whereas costs of materials and contractors had gone up. The capital allocation had gone up to £1.2m. In addition, the branded trail network would receive £750,000 for renewal of infrastructure, for example similar to works carried out in 2023/2024 replacing a boardwalk at Courtlands on the Exe Estuary Trail and raised

cycleway/walkway work on the Drake's Trail. A fibre deck composite was being used at Courtlands as it lasted longer in a salty environment. A £150,000 capital fund was available to pilot different surfaces, for example flexipave, an aggregate mixed with recycled rubber, and also concrete with a higher percentage of recycled/waste materials. The aim was to demonstrate different techniques and carbon reduction and address the desire to not urbanise the countryside.

The budgets demonstrated the value of public rights of way to sustainable transport and health and well-being.

Definitive Map Review

The Definitive Map Review team was close to completing the parish-by-parish review for the County. Open meetings were planned soon in Brendon and Countisbury, Tiverton and Loxbeare. The opening meeting had taken place in Rockbeare. Informal consultation on orders was taking place in Lynton and Lynmouth.

Warden work

Jonathan Rowlands would be retiring in July. It was hoped confirmation to reappoint would be agreed shortly and there were likely to be good candidates for the post.

Key challenges for the warden team were erosion of riverbank and cliff top paths and path surfaces washed out, particularly on sunken lanes. The public had high maintenance expectations, and this was most evident in areas adjacent to urban growth.

John Boyd had joined the team as P3 Officer as Ros Davies had moved across to a warden role.

England Coast Path

Bids totalling up to £500,000 to £600,000 were being made to Natural England to implement the King Charles III England Coast Path. The projects were outlined for the benefit of new members and were itemised in the minutes of the previous meeting.

Riverbank stabilisation

Riverbank erosion had impacted on the Lower Otter Valley adjacent to Otterton FP1. Temporary work was being carried out following discussions with Clinton Devon Estates (as riparian owner). Permission was being sought from the Environment Agency for more notable work involving willow and hardwood timber stakes.

At Newton Poppleford, consent was being sought for willow work and rock bags to stabilise the riverbank. Permission for hard engineering was unlikely to be granted by the Environment Agency. Some of the work was season dependent.

A report was going to the DCC Cabinet in May on Red Bridge. Negotiations were taking place with a landowner to buy land to replace the footbridge. This would be to a higher bridleway standard. The old bridge will be removed.

Investigations to secure the Coleridge Bridge and Dotton Bridge continued.

Costs

In response to a question about high maintenance costs and budgets, Richard Walton said that projects were prioritised. Some were phased over more than one financial year. There was the opportunity to submit bespoke bids and apply for resilience capital budgets. There was a Government storm fund with specific formulae. However, the scale of flooding in May 2023 was not on a scale wide enough to secure this funding.

Stover Country Park

Skinner Construction Ltd, a local firm, had won the contract to extend the visitor centre. The lake desilting work would be carried out by a specialist firm. Tenders would be out shortly for the partial reinstatement of a section of the serpentine lake/ornamental canal and conservation of the historic gatehouse.

Blocked paths

It was noted there had been a national Ramblers' report on blocked paths. Richard Walton confirmed that the number of blocked paths in Devon was relatively low. There were some areas where paths were closed, due to erosion for example.

Burn Bridge

Richard Walton was asked to confirm when the Burn Valley bridge, Bickleigh FP 4 and linking to the Exe Valley Way, would be replaced.

Action: Richard Walton

12. Current consultations

12.1 A379 bridge

Chris Cole and Gordon Guest had attended a site meeting on the bridge with DCC officers. The steep slope to access the bridge had no resting place, although there were seats on the top of the bridge. The drawings were approved and would mean some retrospective works to install the rest area.

Action: Forum Officer to advise DCC Officers.

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

A discussion took place on proposed changes to legislation for electrically assisted pedal cycles. There was a divergence of views with some members inclined to support additional power as this would add to the range of people using cycles and places that can be accessed. Similarly, throttle control would allow more people to use pedal cycles. There would be benefits for

sustainable travel and health and well-being.

Other members reflected that increased numbers using EAPCs with a greater range would change the experience of the countryside with loss of isolated areas. Access was seen as sufficient without losing integrity. It could put people off walking if more people used heavier and faster pedal cycles. People might be less physically active if dependent on electric power. Evidence of a cycle hire place in the Grampians now only supplying electric cycles was mentioned.

The legislation might benefit urban areas primarily but could have unintended consequences for rural areas, particularly on bridleways and recreational trails. Cargo bikes were more likely to be confined to cities.

The risks to users were discussed, along with the need for more campaigning on safety and a focus on the hierarchy in the Highway Code. A weight limit for cargo bikes might be appropriate.

It was agreed that it would be difficult to justify the changes solely for disabled people. Any urban/rural distinction could not be made.

Technology might well lighten batteries over time.

It was likely that people using EAPCs at speed would not connect with nature so well and would have a less peaceful and more transitory experience.

It was agreed to draft a response reflecting the polarisation of views.

Action: Forum Officer

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

13.1 Exeter Plan, Exeter City Council

The response was noted and approved.

13.2 Woodbury Common. Deregistration and exchange of common land.

The response was noted and approved. The application had not yet been determined by the Planning Inspectorate.

13.3 Hemyock Common. Review of statutory direction. Natural England.

The response was noted and approved. Natural England had subsequently determined a direction was not required and that the activity could continue on the Common using discretionary restrictions under the 28-day legislation.

14. Training Day

A Training Day would be arranged for late June or early July, possibly in North Devon with a focus on the England Coast Path and woodland access. Dean Holland suggested Marsland nature reserve as an option. Philip Hackett, Chair of the Dorset LAF, had expressed interest in a joint training day and an invitation would be extended, although it was acknowledged a subsequent day might be more convenient geographically.

15. Work Plan

Although not a statutory requirement, a work plan provided a reminder of the breadth of DCAF work and remained useful. A meeting at the SW Heritage Centre in September, with the option to look at historical records informing the Definitive Map review process, was suggested. Dean Holland would report back on the Exeter Green Circle.

Presentations at meetings would be incorporated when time permitted.

Action: Forum Officer

16. Date of next meeting

The next meeting would be held on Monday, 23 September, venue to be determined.