



Devon Countryside Access Forum
c/o Public Rights of Way team
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**Minutes of the Fifty-Sixth meeting
of the Devon Countryside Access Forum**
Virtual meeting
Thursday, 24 September 2020

Attendance

Forum members

Andrew Baker
Joanna Burgess
Chris Cole (Vice-Chair)
Tim Felton
Lucinda Francis
Gordon Guest
Jo Hooper
Councillor Tony Inch

Sue Leith
Sue Pudduck
Councillor Philip Sanders
Tino Savvas
Lorna Sherriff
Sarah Slade (Chair)
Bryan Smith

Devon County Council Officers and others present

Helen Clayton, Senior Officer, Public Rights of Way, DCC
Marta Gawron, Public Rights of Way team
Ros Mills, Public Rights of Way Manager, DCC
Hilary Winter, Forum Officer, DCC

1. Welcome and introductions

The Chair welcomed everyone to the virtual meeting and, in particular, new members Jo Burgess, Lucinda Francis, Sue Leith and Lorna Sherriff. Introductions were made.

A minute's silence was held in memory of Dr Charlie Lloyd who had sadly died in August. The Chair paid tribute to his contribution to meetings and his passionate commitment to access and the environment.

The April meeting had been cancelled due to COVID-19.

2. Apologies

There were no apologies.

3. Declarations of interest

There were no declarations of interest.

4. Minutes of the meeting held on 23 January 2020

Minutes of the meeting held on 23 January were approved, proposed by Cllr Sanders and seconded by Andrew Baker.

5. Matters arising

5.1 Stover Country Park

Stover Country Park had been awarded £341,000 from the National Lottery Heritage Fund for improvements to the park after resubmitting an earlier proposal. The two-year development phase grant will support further work and studies to help restore the Park and its environmental and historic setting.

A grant application for the second round of National Lottery Heritage funding will be prepared for the delivery phase of the project, scheduled to take place from 2022-2025. This will include a full fundraising plan, business plan, conservation management plan, and management and maintenance plan. Subject to approval, there will be four new sections of walking routes which will link into the existing Heritage Trail and Poetry Trail and create new circular routes.

Ros Mills, DCC, thanked the Forum for its helpful letter of bid support. Three posts were currently being advertised to progress the project and archaeological and hydrology surveys had been commissioned. The Country Park team were very pleased to be involved in the project.

In response to Gordon Guest, Ros Mills confirmed that accessible toilets and accessibility had been taken into account in the bid and as part of the aspiration to be an exponent of a neutral, sustainable and best practice project.

5.2 Jurassic Coast World Heritage Site Management Plan

The final plan had been published in early September and was available online.

5.3 Fire Beacon Hill

Members noted the new information posters and use of a GPS tracking system to control cattle. This did not use invisible fencing so would have no potential impact on pacemakers and the plan is to remove current temporary electric fencing.

Some welfare concerns had been expressed generally about electric controls and a law about electric collars on dogs is currently at the proposal stage.

5.4 Pebblebed Heaths Visitor Management Plan

The Forum had held a working group in 2019 and responded to the consultation. The South and East Devon Habitat Regulations Executive Committee has approved recommendations.

Signage and interpretation boards are in progress and some improvements made to boardwalks and path surfacing. Sufficient developer contributions had been collected to enable phased implementation of visitor access improvements. The South and East Devon Habitat Regulations Delivery Manager is investigating which work would require planning permission and looking at timescales and costs. Works are to be organised to provide significant upgrades prior to any scheduled restriction of access. Four car parks are to be improved during phase 1 in 2020-21 at a cost of up to £161,129. Signage focussing on behaviour and promoted routes had allocated spend of £13,000 in the first year of the five-year business plan and interpretation boards up to £10,000.

Gordon Guest reported that he had been involved in a couple of informal meetings through Disabled Ramblers to discuss earth bunds at car parks. He had been impressed with how responsive Clinton Devon Estates' staff had been in removing these.

The Forum Officer agreed to ascertain the outcome on horse box parking following the consultation.

Action: Forum Officer

5.5 Mid Devon Local Plan Review – Proposed Main Modifications

A response had been submitted following the last meeting supporting the main modifications. An additional comment was made, based on previous DCAF advice, stating that the Forum had concerns about the availability of green infrastructure in floodplain areas to provide access all-year round. It advised that it would be helpful for the Local Plan to be modified to reflect this. Appropriate safety measures and information boards may need to be put in place.

It was confirmed the Local Plan had subsequently been adopted.

6. Correspondence log

The correspondence log was noted. The Chair drew attention to the importance of position statements in responding to business between meetings. It was highlighted

that landowners/land managers can apply to Natural England to close access land for 28 discretionary days each year and these applications were included on the log.

7. Election of Chair and Vice Chair

The Forum Officer took the Chair. In the current COVID-19 circumstances, Sarah Slade and Chris Cole had offered to continue as Chair and Vice Chair until April 2021. They had been acting in this capacity since the April meeting was postponed. No one else had put their names forward. This was very much appreciated in enabling the work of the Forum to continue smoothly. Cllr Sanders proposed Sarah Slade continue as Chair and Chris Cole as Vice Chair, seconded by Tim Felton.

8. Public questions

There were no public questions.

9. Meetings attended by DCAF members

Ludwell Valley Park

In accordance with COVID-19 rules, a small working group consisting of Sarah Slade, Chris Cole, Gordon Guest and the Forum Officer, had met with the Reserves Manager and Site Manager from Devon Wildlife Trust. The purpose of the meeting was to discuss accessibility as the number of kissing gates precluded use by disabled users and people with pushchairs.

Ludwell Valley Park is an extensive undulating park which includes woodland and agricultural land, surrounded by housing and Pynes Hill business park. It adjoins a large area of playing fields and is popular with dog walkers and runners. Devon Wildlife Trust (DWT) had taken over the management of Ludwell Valley and other Exeter countryside parks on a 30-year lease from Exeter City Council in May 2019.

The working group looked at the park from the Topsham Road end and from Ludwell Lane and witnessed some of the challenges of the site, including grazing cattle and grassland management. Use of the park had increased significantly during lockdown. The DWT was keen to preserve the rural feel and improve biodiversity. As an urban park, it was managed differently to the DWT nature reserves. There are some urban fringe type issues associated with anti-social behaviour.

The working group, in discussions with the Devon Wildlife Trust staff, identified some areas which were potentially more accessible if phased changes could be made to introduce accessible gates. Major improvements to surfacing had not been suggested as these were unnecessary and would reduce the countryside feel of the park. The top of the park and valley bottom presented opportunities. The group recognised the importance of cattle grazing and noted the Devon Wildlife Trust left existing gates open, where possible, when cattle were elsewhere. A friends' type group was active but resources for both improvements and day to day maintenance were limited.

The park presented an opportunity to incorporate cycling too, particularly for family groups, although there were cycling routes on the periphery of the park.

The working group had requested more details from the Devon Wildlife Trust and hoped to go back with recommendations, subject to agreement of the whole Forum. This might assist in formulating grant bids. It was noted that the Trust manage other parks in Exeter and some solutions might be transferable.

Action: Working group to put proposals to the Forum.

10. Minutes of the Public Rights of Way Committee held on 5 March 2020

Minutes of the Public Rights of Way Committee were noted.

11. Public Rights of Way update and discussion

Ros Mills, Public Rights of Way Manager, said staff had been busy during lockdown. Risk assessments had been carried out to allow site work with protocols established for contractors.

The network had proved very popular and there had been a 153% increase in use of the Exe Estuary Trail at the southern end, with much work to ensure social distancing.

Landowners had been permitted to put in temporary unofficial diversions on public rights of way where they felt vulnerable. These had been logged.

The asset and enforcement team had adapted to new ways of working and to an exponential rise in reports from the public. Many more new users were accessing the countryside who were less familiar with public rights of way and the off-road recreational trail network. Occasionally there were tensions when people strayed from paths and expected a parkland type experience – somewhere to play. It was a balance between managing people and their expectations and new challenges such as electric bikes and inexperience of farm animals and wildlife.

There had been some supply chain issues affecting maintenance work, for example quarries were closed, and contingency planning for the next six months was in hand. Expressions of interest were being sought by DCC for the next framework contract (2021-2025) for the maintenance and improvement works to approximately 5,000km of Public Rights of Way (comprising footpaths, bridleways, restricted byways and byways), 230km of off-road recreational trail network (for example, the Tarka Trail) and 590km of minor road network (mainly unmetalled). This included the South West Coast Path National Trail for which DCC is responsible, along with the areas covered by Stover Country Park and the Grand Western Canal Country Park. The historic annual spend for this work has been approximately £1.5m.

Capital budgets for big schemes such as resurfacing and bridges had been secured from central government, but revenue budgets were on the decrease. This would be a challenge in the future.

Helen Clayton, Legal and Development Team, reported a different impact with limited public engagement and face to face meetings. The Definitive Map Review team had been forced to suspend order making due to the statutory requirements for

advertising. The team is now finding alternative ways of complying. Informal consultations had been suspended to avoid encouraging any unnecessary travel. The record offices had been shut, limiting historic research, and the Public Rights of Way Committee due to take place in July had been cancelled. The November PROW Committee would take place virtually.

P3 activities had been constrained but now volunteers were gradually undertaking work with COVID-19 measures in place.

More people were interested in claiming historic routes and enquiries had increased. Publicity about 2026 during lockdown had encouraged interest. A summary had been added to the Public Rights of Way website

<https://www.devon.gov.uk/prow/definitive-map-2026-cut-off-date-for-historic-paths/>

It is likely that Planning Inquiries will be virtual, with the first one planned in late September. These will be lengthier due to limits on screen time.

Activities were being carried out in a different way. The team is looking at Microsoft SWAY, a presentation application, to present information to the public in conjunction with virtual meetings with parish councils.

A question was asked about the impact of shared access and any research into people's perceptions and social media complaints. Ros Mills responded that there was data about numbers from key counters and social media feedback for popular routes. The Country parks had been very busy, despite the lack of facilities, as visitor centres and toilets were directed to be closed. The parks are still very busy, and facilities are opening (suitably risk assessed).

It was noted that mountain bikes using footpaths illegally and the increase in electric bikes on trails could heighten safety issues. Educating users and appropriate campaigns could take place but were complex and costly. The value of using outdoor space was increasingly recognised.

It was noted the University of Exeter had undertaken statistical analysis quantifying the benefits of green space which could be a useful starting point.

It was mentioned that people had been encouraged out during lockdown but lack of toilets and other facilities, which varied by district and town, had exacerbated some issues. This needed further thought in terms of public rights of way and trails. It was confirmed that toilets at Stover and the Grand Western Canal, under the auspices of DCC, had opened as soon as safe to do so. It was suggested the Forum might develop a position statement on toilet provision.

Some signs had been developed during the lockdown period by different organisations and a plea was put forward for continuity to ensure the same message was conveyed. Ros Mills, DCC, said that a downloadable sign had been available (from the Welsh Assembly and Natural England) and had police support and NFU support in Devon. PROW had tried to assist landowners, especially as lockdown was at its height at lambing time. Helen Clayton, DCC, confirmed there was no national sign. Guidance on keeping the message simple with links and qr codes had been promoted together with awareness of social distancing and dog control. Links

to national websites were used as too much information on posters could become outdated. The Countryside Code had been updated and some national organisations felt additional promotion would be helpful.

Coronavirus presented a huge number of issues. New users on the ground were a good thing in terms of mental and physical health benefits and the value of green space was more appreciated. At a local/national level it was important to consider recommendations to ensure the countryside was used responsibly. It was agreed that national initiatives, such as public information films or announcements in an accessible format, would be useful. The Aardman films had connected with people.

The Chair suggested that the Forum should consider how to take things forward and she would speak to Ros Mills and Helen Clayton in the first instance.

Action: DCAF Chair to speak to Public Rights of Way staff.

12. Break - ten minutes

13. Advisory note on trails

It was suggested that a new sentence should be incorporated to bring the document up to date by mentioning that usage has increased significantly since the advent of coronavirus through additional use of the trail for recreation, exercise and commuting. The word 'conflict' later in the document should be qualified by adding "in this context." These changes were agreed.

Action: Forum Officer to amend advisory note and circulate.

14. Annual Report 2019-2020

Members approved the annual report. It was agreed photographs should state the location. Some additional photographs would be inserted.

The Forum Officer was complimented on the monthly newsletter which was circulated to members and a range of individuals and organisations as well as being available online.

Action: Forum Officer

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

15.1 Network Rail. Public consultation on revised plans to protect the vital rail line between Teignmouth and Dawlish.

The response was noted and approved.

15.2 England Coast Path

The response was noted and approved.

The eight-week objection/representation period ended in March and a number of objections and representations had been received for both stretches. Natural England had written up its reports and sent these to Defra. The next steps are to await Secretary of State approval for the reports where there have been no objections and wait for the Planning Inspectorate to confirm when an inspector will be visiting objection sites. Once there is Secretary of State approval the access authority (Devon County Council) can apply for England Rural Development Programme grants to install the necessary infrastructure.

Gordon Guest said the Disabled Ramblers had put in an extensive report with photographs and meetings were taking place with the South West Coast Path team, arranged through Tino Savvas, to discuss some possible works to improve accessibility.

The Chair confirmed that the timescale was not known, even without the coronavirus complications. The Planning Inspectorate had a backlog of work.

15.3 North Devon Pioneer Environmental Land Management Scheme

The response was noted and approved.

The Forum Officer had attended a virtual meeting. A number of the DCAF suggestions had been included and maps of access now distinguish between bridleways and footpaths. The priority outcomes incorporate many advisory clauses from the DCAF position statements.

The Chair confirmed work was progressing and that she had taken part in an early stage pilot scheme.

15.4 Tiverton EUE (Area B) Public Consultation

The response was noted and approved.

15.5 Public Spaces Protection Orders (dogs)

The responses to Mid Devon, North Devon, South Hams and West Devon councils were noted and approved.

The Chair commented on the complexity of submitting the responses in different formats but the plea for consistency had been put across.

15.6 Marsh Barton Railway Station

The responses were noted and approved. The application would be determined by the Development Management Committee and Cllr Sanders declared an interest as a member of that committee.

15.7 England Tree Strategy

The response was noted and approved. Members agreed with the decision to send a table reflecting the full range of member opinion as there had been no clear steer in the priorities identified by individual members.

16. Current consultations

16.1 Planning for the Future

The consultation sought views on a package of proposals to reform the planning system in England: to streamline and modernise the planning process, improve outcomes on design and sustainability, reform developer contributions and ensure more land is available for development. The closing date was the end of October.

Individual members were advised to respond if they had strong views.

Options presented to the Forum by the Chair were to focus on particular questions, either by setting up a working group or using position statements. A paper had not been included with the agenda.

Several members supported a working group as the proposals, if implemented, would be a fundamental change to the existing planning system. It was noted that the public rights of way network could be compromised close to urban areas where development might take place. The document did not appear to include much on access to the countryside. A large number of developments were taking place in Devon, such as Cullompton Garden Village, with pressure on public rights of way.

The importance of continued local input through Neighbourhood Plans and Local Plans was noted. Cllr Inch confirmed that councillors were asked for views on every planning application.

After discussion, it was agreed to form a working group to look at the proposals and implications for matters within the Forum's remit. Jo Burgess, retired member of the Royal Town Planning Institute, offered to explore some of the issues. Sarah Slade, Tim Felton, Gordon Guest and Sue Leith expressed interest in participating in the group too.

Action: Forum Officer to arrange virtual working group meeting.

16.2 Review of the Highway Code

A discussion took place on a small number of proposals within the Highway Code review within the DCAF's remit.

It was noted that the average driver does not read the Highway Code. For

the review to be effective the public needed to read the Code periodically or the contents should be publicised, possibly using public service broadcasts, as in Germany, or on YouTube.

It was thought the matter of mobility scooters being unable to use cycle lanes had not been addressed in the review and the Forum Officer undertook to look into this.

Action: Forum Officer.

The Highway Code review proposed a hierarchy of users according to vulnerability. It was agreed this was a useful addition, subject to clarity about where each user group fell in the hierarchy and a visual depiction. People with learning disabilities had not been included as a group and they might react differently to expected. It was agreed dog walkers should be included and reference made to electric scooters and bikes. Faster moving modes of transport were more dangerous. It was noted that in many countries on the continent the car driver would be at fault in a collision with a more vulnerable user.

New rule 63 (rules for cyclists) was approved but clarification would be sought on what classifies as high speed as that was open to interpretation. Additional points that would be raised were the opportunity to use a 'share with care' message and that people with learning difficulties had not been mentioned.

Members considered changes to rule 163 - using the road. It was noted the Highway Code was not a legal document but incorporated road traffic legislation. It was agreed that the proposed passing distances at different speeds for different user groups were not clear. The distance should be consistent with a strong message to take care. References to high speed or low speed were ambiguous.

Members had mixed views on whether cycle bells should be compulsory. Advance audible warning was helpful but over-reliance on bells could give cyclists and more vulnerable users a false sense of security.

On narrow lanes and approaching narrow bridges, for example, it was agreed that cyclists might have to dismount. Equally car drivers in this situation might have to stop to allow users to pass, as well as holding back before overtaking. No mention had been made of farm animals which might be encountered on rural roads.

It was agreed the fundamental message should be about education: people who walk or use modes of transport should do so with consideration for other people at all times and think about their actions and the impact on others. Consideration and respect should be the key messages.

An amendment to rule 63 proposed that cyclists may pass slower moving or stationary traffic on their left or right, including at the approach to junctions. A discussion took place. Whilst some members thought this could improve

safety for cyclists who might not wish to pass on the right, others thought traffic may not remain stationary and drivers might not be able to see cyclists in their mirrors.

It was agreed that whilst primary schools might instil the highway code as part of cycling instruction, it was important for it to be embedded at secondary school level.

17. Any other business

Teign Estuary Cycle Trail – Value Management Workshop

The Forum had been invited to send a representative to a virtual meeting in October. Bryan Smith expressed interest but declared an interest as a resident of the area.

Action: Forum Officer to forward details

Dartmoor National Park

Gordon Guest had been working with Tim Russell at Dartmoor National Park Authority to look at improvements to wheelchair accessible routes. Work had taken place at Haytor, Haytor Quarry, Princetown and Bellever Forest and was ongoing.

Youth engagement

Bryan Smith suggested that it would be useful to contact the Youth Parliament for Devon to see whether they might engage or be interested in the workings of the Forum.

Torrige District Council Active Travel Group

Cllr Inch reported that he was on the district council Active Travel Development Group which was investigating cycle routes and footpaths that could be developed around Bideford and Torrington. It was interested in the former Kenwith railway line between Bideford and Westward Ho! and discussions were taking place with landowners.

Public Rights of Way offices

The Public Rights of Way team had moved to offices in Great Moor House, Sowton, and was now in the same building as Devon Archives and Local Studies (previously the County Record Office).

18. Date of next meeting

Unless circumstances changed, the next meeting on 21 January would be held virtually.

DRAFT