



## PLYMOUTH LOCAL ACCESS FORUM

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## Plymouth Local Access Forum

Date: Wednesday 4 March 2020  
Time: 10am  
Place: Poole Farm, Plymouth PL6 8NF

### **Committee Members–**

Mr Curno, Chair.  
Mr Abraham, Mr Attrill, Mr Harvey, Mr Pawley and Mr Skinner.  
Councillors Morris, Wheeler and Vincent.

Members are invited to attend the above meeting to consider the items of business overleaf

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## **PLYMOUTH LOCAL ACCESS FORUM**

**1. Apologies**

To receive apologies for non-attendance submitted by Forum Members.

**2. Declarations Of Interest**

Members will be asked to make any declarations of interest in respect of items on this agenda.

**3. Minutes**

**(Pages 1 - 8)**

The Forum will be asked to confirm the minutes of the held on 27 November 2019.

**4. Chair's Urgent Business**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

**5. Derriford Community Park Progress Update**

**6. The English Coast Path Update**

**7. Terms of Reference**

**(Pages 9 - 14)**

**8. Central Park Improvements**

**9. Work Programme Items**

**10. Future Meeting Dates**

## **Plymouth Local Access Forum**

**Wednesday 27 November 2019**

### **PRESENT:**

Mr David Curno, Chair.

Mr John Abraham, Mr Bob Harvey, Mr Dave Pawley and Councillor Wheeler.

Co-opted Representatives:

Apologies for absence: Mr Nicholas Attrill, Councillor Jonny Morris, Mr John Skinner and Councillor Brian Vincent.

Also in attendance: Robin Pearce (Public Rights of Way Officer) and Helen Prendergast (Democratic Advisor).

The meeting started at 10.15 am and finished at 12.20 pm.

*Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

#### 1. **To Appoint a Chair and Vice Chair**

The Forum agreed to appoint Mr Curno as Chair of the Plymouth Local Access Forum for the remainder of the municipal year 2019/20.

#### 2. **Declarations of Interest**

The following declarations of interests were made in accordance with the code of conduct -

<b>Name</b>	<b>Subject</b>	<b>Reason</b>	<b>Interest</b>
Mr Pawley	South West Coast Path	Representative for the South West Coast Path Association	Personal
Mr Abraham	Plymouth Cycling Campaign	Member of the Plymouth Cycling Campaign	Personal

#### 3. **Minutes**

The Forum agreed to recommend to the meeting scheduled in March 2020 that the minutes of the meeting held on 29 October 2018 were a correct record subject to the following amendments -

- (a) minute 66 (a) refers – amend the minutes to read ‘Councillor Gosling had recently joined the Plymouth Cycling Campaign and had been on two rides with Members of the Plymouth Cycling Campaign and had also attended tow meetings; Members of the Plymouth Cycling Campaign were glad that he was involved.

As part of this item, the following issues were raised –

- (b) that the Sutton Harbour footbridge had been repaired and was now in use;
- (c) whether the footpath along the side of Collings Park could be adopted by the City Council;
- (d) that the bid for the Transforming Cities fund would be submitted on 26 November 2019 (decision would be made in March 2020) for walking and cycling improvements to the northern and eastern corridor.

Mr Curno (Chair) undertook to contact the Chair of the Collings Park Trust to discuss the footpath along the side of Collings Park.

Mr Abraham advised that the Plymouth Cycling Campaign had set up a campaign to create a direct cycle path parallel to the A386 from Yelverton to Plymouth. An outline survey and proposed route had been produced which was supported (subject to design) by MPs and local councillors. There was a general agreement that the east side of the A386 was the most suitable route for the cycle path. If the path were to be situated on the west side of the A386, this would result in cyclists having to cross the road.

A discussion took place regarding whether Section 106 monies would be available to fund this proposed scheme.

Councillor Wheeler advised that he had requested the Cabinet Member for Strategic Planning and Infrastructure include the cycle path in tranche 2 of the Transforming Cities Fund but that Devon County Council had not been supportive of this, at the time.

Councillor Wheeler advised that he had requested Councillor Coker (Cabinet Member for Strategic Planning and Infrastructure) include the cycle path in tranche 2 of the Transforming Cities Fund but that Devon County Council had not been supported of this, at this time.

Robin Pearce (Public Rights of Way Officer) to liaise with the Sustainable Transport Team regarding the provision of a cycle path along the A386 from Plymouth to Yelverton.

#### 4. **Chair's Urgent Business**

With the permission of the Chair, Mr Pawley raised the issue of the path at Jennycliff which highlighted the following key points -

- (a) following a landslide the path from the cliff to the beach had been closed as a safety precaution however, people were ignoring the warning signs and still using the path (although some of the warning signs had been removed); people were having to use the diversion to Staddiscombe Golf Club, in order to access the beach;
- (b) whether finger posts could also be erected at either end of the diversion.

Robin Pearce (Public Rights of Way Officer) advised that Plymouth City Council had commissioned a report to investigate the exact issues –

- (c) the report had recommended a number of options including -
  - a traffic management scheme be put in place to restrict the road to one lane; or
  - further restrictions be put in place to prevent buses or lorries from using the road;
- (d) substantial remedial works would be required which would result in the South West Coast Path being closed until completed.

The following responses were provided to questions raised by the Forum –

- (e) a decision was awaited as to whether the steps (further along from the landslide) would be properly signposted;
- (f) this land was owned by Plymouth City Council and not South Hams District Council.

Mr Curno (Chair) advised –

- (g) that consultation on the draft Plymouth and South West Devon Supplementary Planning Document (SPD) and the draft Statement of Community Involvement (SCI) was due to close on 6 January 2020;
- (h) Members of the Forum to review the documents which were available on Plymouth City Council's website.

Helen Prendergast (Democratic Advisor) undertook to circulate the web-link for the Plymouth and South West Devon Joint Local Plan to all Forum members.

(In accordance with Section 100(B)(4)9b) of the Local Government Act, 1972, the Chair brought forward the above item for consideration because of the need to advise Forum Members).

5. **Terms of Reference**

The Forum noted its terms of reference.

The following issues were raised by Members –

- (a) whether -
  - it would be possible to raise the profile of the Forum within the City Council;
  - Members of the Forum were still able to identify their own training needs, in consultation with the Chair (4.22 of the Terms of Reference refers);
  - the Forum's quorum could be reduced from seven to three.

Following a discussion on raising the Forum's profile, it was suggested that Plymouth City Council's Cabinet Members be invited to attend meetings for specific items, under consideration, in order to provide an overview.

Robin Pearce (Public Rights of Way Officer) advised that with regard to 4.22 of the Forum's Terms of Reference, no training had been identified by individual Members over the last four years.

The Forum recommended to its next meeting that –

- (1) the quorum be changed from seven to three;
- (2) Plymouth City Council Cabinet Members are invited to attend the Forum's meetings for specific items under consideration, in order to provide an overview.

6. **The English Coast Path Verbal Update**

Robin Pearce (Public Rights of Way Officer) updated the Forum on English Coast Path which highlighted the following key areas –

- (a) the former Deputy Prime Minister, Nick Clegg had announced in 2014 that there would be continuous coastal access around the English coastline by 2020;
- (b) there were two sections currently under review, Cremyll and Kingswear (CKI was the section of the footpath through Plymouth);

- (c) the proposals differed from the existing South West Coast Path at -
- Cremyll Street – this was a new route and would follow an existing walked path along the waterfront seaward of Telegraph Wharf and Freeman’s Wharf;
  - East Quay – this was a new route which would follow an existing and recently constructed walked path along the waterfront east of King Point Marina and Millbay Docks;
  - Trinity Pier and Millbay Marina Village – continuing on from the new route at East Quay, the trail would follow a new section of path between Trinity Pier, Custom House Lane and the Rusty Anchor;
  - crossing at the Barbican to Mount Batten Ferry rather than heading up to Laira;
- (d) Plymouth City Council had been working with Natural England regarding this section.

Forum Members considered it important to be able to respond to the consultation regarding the CKI route.

A site meeting would be arranged for January/February 2020 following the publication of the consultation documents.

Helen Prendergast (Democratic Advisor) undertook to arrange the site visit and circulate the consultation documents.

## 7. **National Marine Park Verbal Update**

Robin Pearce (Public Rights of Way Officer) advised that the creation of the Plymouth Sound National Marine Park was one of the Labour Administration’s Pledges and that -

- (a) Plymouth Sound had been designated as the UK’s first national marine park in September 2019;
- (b) the aim of the Park was to protect the area’s estimated 1000 species of marine life, help boost the economy (Plymouth was home to one of the largest fish markets in the UK and employed 7,100 people in the marine sector), attract more visitors and enable funding for research and a range of other benefits;
- (c) the Park would also aim to promote marine conservation, engineering and research whilst balancing the current industries in the area, such as the fishing and military ports;

- (d) the Government had also given its backing to the creation of the first National Marine Park;
- (e) funding options for this initiative were currently being investigated.

Members of the Forum raised questions relating to –

- (f) the area that the National Marine Park would cover;
- (g) concerns regarding -
  - having another layer of ‘management’ of this area (the current arrangements had been in place for a number of years);
  - whether the area would be protected given its environmental importance.

The Forum was shown a promotional video of Plymouth Sound National Marine Park.

#### 8. **Derriford Community Park Verbal Update**

Robin Pearce (Public Rights of Way Officer) updated the Forum on the progress of the Derriford Community Park which highlighted the following key areas –

- (a) Derriford Community Park would cover 146 hectares in the north of the city, south of Derriford Hospital; it contained farmland and three designated Local Natures, Forder Valley, Bircham Valley and Seaton and Lower Bircham Valley; this site used to be part of the Derriford Estate that surrounded Derriford House, built in 1820;
- (b) the Council’s aspiration for a new park in the north of the city had been developed since 2005; in 2015 the Council along with its partners began the delivery of the Park from Poole Farm and had worked a wide range of people across the city to deliver the first phase of improvements to the wildlife; by the summer of 2019 this had included -
  - planting 1.5km of new native hedgerow;
  - planting over 5000 trees;
  - planting and establishing the city’s largest orchard of over 200 fruit trees;
- (c) as part of the Transforming Cities fund £1.7m had been secured which would deliver the following -
  - high quality multi-functional green space that provided a new city-wide destination;



- network of high quality multiuser routes that linked the Park to the surrounding neighbourhoods and encouraged visits by walking and cycling;
- (d) design work was currently being undertaken with AECOM which would be subject to a planning application; there were some significant eco issues that would need to be sensitively considered as part of the design process.

The following responses were provided to questions raised by Forum members –

- (e) the multiuser routes would be sealed;
- (f) the routes would not be lit;
- (g) the future maintenance of the footpaths would be the responsibility of Poole Farm;
- (h) Plymouth City Council was working with its partners to re-introduce a pair of Eurasian Beavers into a fenced trial site in the Lower Bircham Valley; static webcams would be installed on the site to monitor the beavers.

9. **The City of Plymouth (Footpath No.6 Moorview) Definitive Map Modification Order 2019**

The Forum noted the City of Plymouth (Footpath no.6 Moorview) Definitive Map Modification Order 2019 which if confirmed would modify the definitive map and statement for the area by adding to them the footpath from Estover Close to Elizabeth Cottage (as described in Part I and II of the schedule).

10. **Work Programme**

The Forum agreed to include on its work programme a site visit regarding the improvement to public access along the Devon coast between Cremyll and Kingswear (CKI route).

A discussion took place regarding the issues impacting landowners which included Brexit, security issues, theft of equipment, rustling of livestock and the increase in fly tipping and the cost of removing it.

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**Plymouth Local Access Forum  
Terms of Reference**

**1.0 Title and Forum Area**

- 1.1 The Forum shall be known as the Plymouth Local Access Forum (the forum).
- 1.2 The area to be covered is the whole of the area within the boundaries of Plymouth City and that area for which Plymouth City Council is the responsible highway authority.

**2.0 Roles and Responsibilities**

- 2.1 The Plymouth Local Access Forum is an advisory body. Its statutory function is to advise as to the improvement of public access to land in the area for any lawful purpose of open-air recreation and the enjoyment of the area, and as to other matters as may be prescribed.
- 2.2 In carrying out its work the forum shall have regard to: -
- the needs of land management;
  - Desirability of conserving the natural beauty of the area for which it is established, including the flora, fauna and geological and physiographical features of the area;
  - any guidance issued by the Secretary of State; and
  - any position statement adopted by the forum.
- 2.3 It is the statutory function of the forum to give advice to the following bodies to be known as section 94(4) bodies:-
- parish and town councils
  - the appointing authority
  - any county, unitary, district or borough council  any Secretary of State including their Departments or 'executive agencies'.
  - Natural England
  - the Forestry Commission
  - English Heritage
  - Sport England (the English Sports Council)
  - Area of Outstanding Natural Beauty (AONB) Conservation Boards.

- 2.4 Any advice given by the forum to section 94(4) bodies shall fall into at least one of the following categories:-
- improvement of public access (whether on foot or by horse, cycle, mechanically propelled vehicle or by any other lawful means) to land in the area for the purposes of open-air recreation and the enjoyment of the area;
  - Public access to land in the area for any other lawful purpose (whether on foot, horse, cycle or by any means other than by mechanically propelled vehicle);
  - public access to land in the area by means of a mechanically propelled vehicle for any other lawful purpose, but only insofar as the access relates to byways open to all traffic (BOAT)
- 2.5 The Forum will promote liaison with any other Local Access Forums established in Devon, Cornwall, Torbay and Dartmoor and actively encourage the attendance of such authorities to forum meetings with observer status.

### **3.0 The Role of Plymouth City Council**

- 3.1 As the appointing authority, Plymouth City Council shall:-
- advertise for and appoint members to the forum taking into account the need for fairness, transparency and compliance with the Council's policy on equality and diversity;
  - take account of the advice given by the forum when making decisions;
  - provide feedback to the forum on advice the forum has given whether in exercise of its statutory function or not;
  - provide a secretary for the forum, and ongoing Officer support, training and advice;
  - provide a meeting venue and refreshments where necessary;
  - publicise the work of the forum;

- reimburse forum members expenses for travel, child care and subsistence costs directly incurred in respect of members' duties.

#### **4.0 Membership**

4.1 Membership to the Forum will be representative of one or more fields of interest as defined below rather than of any particular organisation:-

- Local people who enjoy outdoor recreation in the area;
- Owners and occupiers of access land, or land over which the public have lawful access;
- Other interests considered to be relevant to Plymouth which include, but are not limited to tourism, outdoor education, sport and recreational provision, disability awareness, local business interest, the military, health, wildlife and cultural heritage.

4.2 Members shall be appointed to the Forum by Plymouth City Council in accordance with the Plymouth Local Access Forum Person Specification. The purpose of the Member selection process is designed to ensure a fair distribution of interests and ensure members have the knowledge and experience necessary to enable them to make an informed and constructive contribution to the work of the forum.

4.4 Members shall be appointed for an initial term of either one, two or three years (the initial term).

4.5 In deciding the length of term to be offered the appointing authority shall take into account: -

- the continuity of the forum by ensuring no more than a third of terms expire each year;
- any current terms already in existence; and
- any preference for a particular term expressed by an applicant.

4.6 Upon the expiry of the initial term of office a member will be eligible to apply for re-appointment. If re-appointed for a further term that term will be for a further three years (the subsequent term).

4.7 There is no limit on how many times a member may re-apply for a further term of office.

- 4.8 In the event that a seat becomes vacant during the initial term any replacement member appointed shall continue to serve that same term of office
- 4.9 In the event that a seat becomes available before the expiry of a subsequent term the term offered to any replacement member shall be at the discretion of the appointing authority taking into account the matters listed in 4.5 above.
- 4.10 The appointing authority reserves the right to award shorter or longer terms if required to ensure the continuity of the forum.
- 4.11 A member may resign their seat by giving notice of resignation in writing to the Secretary of the Forum.
- 4.12 Plymouth City Council may terminate the appointment of a member of the forum if:
- They become an elected member of Plymouth City Council;
  - They are absent from all meetings of the Forum in a 12month period without the prior agreement of the appointing authority;
  - They fail to comply with the requirements set out in section 4.15 below;
  - They fail to comply with the requirements set out in section 4.21 below;
  - They fail to comply with the Plymouth Local Access Forum Members Code of Conduct.
- 4.13 A request for the termination of membership can be made to the appointing authority by the Chair of the forum following a formal resolution of the forum. In doing so the Chair must have explained their reasons for seeking the removal of the member to the forum and those reasons must be at least one of those provided in section 4.12 above.
- 4.14 The Plymouth Local Access Forum shall consist of at least 10 and not more than 22 members of which three places are reserved for Plymouth City Council Elected Members.
- 4.15 By accepting an offer of appointment members confirm:-
- their ability to devote their own time to attend meetings and training events as required;
  - their ability and willingness to network with a wide range of interests outside of Forum meetings;

- their commitment to working within these Terms of Reference.
- 4.16 The Local Access forum will elect a Chair and Vice-Chair from within its membership base.
- 4.17 The term of office for appointment to the position of Chair shall be three years.
- 4.18 The term of office for appointment to the position of vice-Chair shall be staggered so as not to coincide with the expiry of the term of office of the Chair.
- 4.19 Elected Members of Plymouth City Council will not be eligible for appointment to either position but shall be entitled to vote in elections.
- 4.20 The method of appointment for the Chair and Vice-Chair of the Local Access Forum shall be as follows:-
- Nominations for the positions may be made either to the secretary to the forum in advance of the meeting or at the meeting itself and those nominees will be read out by the Secretary.
  - No details about nominations will be shared with the forum other than the names of those nominated.
  - Members can nominate themselves.
  - Any nominee who accepts the nomination will stand for the relevant post.
  - Voting shall be by secret ballot;
  - All members of the Forum (including those standing for the position concerned) are entitled to vote. A member may vote for themselves;
  - The secretary will announce the result of the election to the post;
  - In the event of a tie on the first round of voting for the post, a second round of voting will be held in which the only candidates standing will be those whose scores were tied. Again, all members may vote including those standing;

- 4.21 Members shall disclose the nature of any direct or indirect interest in any matter brought up for consideration at a meeting of the Forum.
- 4.22 Members shall identify their own training needs in consultation with the Public Rights of Way Officer and the Chair.

## **5.0 Administration**

- 5.1 Plymouth City Council shall provide a secretary responsible for the administration of the Forum who shall be neither an elected Member of the City Council nor a member of the Forum.
- 5.2 The Forum shall formally meet at least twice a year and additional informal meetings arranged where necessary.
- 5.3 Meeting agendas shall be agreed between the Chair and the Secretary.
- 5.4 Formal meetings shall be advertised in advance and held in public.
- 5.5 Agendas, papers and minutes of formal meetings shall be available to the public.
- 5.6 The public shall be able to ask questions on the business of the Forum at the discretion of the Chair.
- 5.7 The Chair may, where appropriate, invite observers to the meeting who shall be able to contribute to the meeting at the discretion of the Chair.
- 5.8 The declaration of interests shall be an agenda item at the start of each meeting.
- 5.9 All papers for meetings will be sent to members at least five days in advance and should be supported by a clear recommendation wherever possible.
- 5.10 A consensus should be reached on all matters discussed but where this is not the case opposing views will be recorded.
- 5.11 The quorum for meetings of the Forum shall be 7 members.

## **6.0 Allowances**



- 6.1 Members may claim travelling costs for attending Forum meetings and authorised training events and where appropriate a carers allowance is payable at rates in line with the City Council Members Allowance Scheme.

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