



**Devon Countryside Access Forum**  
Lucombe House  
County Hall  
Topsham Road  
EXETER EX2 4QD

Tel: [REDACTED]  
[REDACTED]



[www.devon.gov.uk/dcaf](http://www.devon.gov.uk/dcaf)

Ms S Penaluna  
Planning, Transportation and Environment  
ABG  
Lucombe House  
County Hall  
Topsham Road  
Exeter  
EX2 4QD

24 September 2014

Dear Ms Penaluna

**Town and Country Planning General Regulations 1992 - Regulation 3  
Construction of a walking and cycling trail at Willingcott to Buttercombe Lane,  
West Down, Woolacombe, EX34 8NU**

Thank you for your letter of 9 September requesting comments on the above application.

The Devon Countryside Access Forum (DCAF) is a statutory forum established under the Countryside and Rights of Way Act 2000 (CRoW Act 2000). Its specific remit is to provide independent advice on the “improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area.” The Forum has fifteen voluntary members, appointed by Devon County Council, who represent the interests of land owners/managers, access users and other relevant concerns such as health and tourism.

The DCAF welcomes the extension of off-road cycling and walking opportunities in this area of North Devon and recognises the hard work associated with negotiating and developing new routes. It does, however, have a number of comments to make on the proposed trail at Willingcott.

The Forum is concerned at the wording in the accompanying planning statement which states” Devon County Council’s policy is to accommodate multi-use (i.e. including horse riding) on cycle trails where possible. It has not proved possible to accommodate horse riding on this route due to perceived difficulties and liabilities associated with the golf course and other local equestrian interests. A private right to

The Devon Countryside Access Forum is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.



ride horses next to the path exists along the former railway to the south east of the golf course but this will not be open to public use and will have no destination as it leads only to private land. The route across the golf course will not be fenced.”

A couple of years ago the DCAF was involved in assisting the County Council to develop a protocol to use to assess the potential for multi-use when new routes are considered. This was in response to the Rights of Way Improvement Plan policy CY3A (DCC 2005, revised 2012) which states that “provision for multi-use will be preferred where new routes are developed and the use of restrictive covenants will only be agreed in exceptional circumstances.”

The planning statement would imply that the multi-use protocol may not have been used and the DCAF would appreciate confirmation of the process that took place. The DCAF does recognise that there are situations where horse use is not possible but would like assurance that a robust system is in place to assess all schemes. If for any reason the protocol is proving difficult to use please could you advise the DCAF and look into reviewing the process.

A recent letter from Dan Rogerson, MP, Parliamentary Under Secretary of State for Water, Forestry, Rural Affairs and Resource Management (Defra) to Local Highway Authority Chief Executive’s asks local authorities to review their Rights of Way Improvement Plans to consider how to “improve provision for cyclists, equestrians and disabled users”, particularly in the light of the fact that “rural traffic is increasing.” Ensuring that DCC has a consistent protocol would accord with these aspirations.

The Forum would be grateful if you could respond to this letter and also consult it on future applications for cycling routes.

Yours sincerely



Hilary Winter  
Forum Officer

*Letter sent on behalf of Devon Countryside Access Forum*

*Chair: Laura Leigh  
Vice Chair: Chris Britton*