



ST MEWAN PARISH COUNCIL

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Rights of Way Committee Meeting Minutes – 1st September 2021 commencing at 10.30am in St Marks Church Hall, Sticker

ROW1/21 Election of Chair for 2021/2022

It was

RESOLVED Cllr Holman is elected Chairman for 2021/2022. Prop Cllr Mrs Mitchell, sec Cllr Mrs Padley

ROW2/21 Election of Vice- Chair for 2021/2022

It was

RESOLVED Cllr Mrs Padley is elected as Vice-Chair for 2021/2022. Prop Cllr Holman, sec Cllr Mrs Mitchell

ROW3/21 Persons Present/Apologies

Persons present: Cllr Holman (Chair), Cllr Mrs Padley (Vice-Chair), Cllr Mrs Mitchell

Apologies: Cllr Jannaway, Cllr Spencer, Cornwall Cllr Michael Bunney

In attendance: Parish Clerk Wendy Yelland

Public present: No members of the public.

ROW4/21 Declarations of Interest from Members / Dispensations

There were no Declarations of Interest from Members.

ROW5/21 Public Participation

No members of the public.

ROW6/21 Committee Meeting: Minutes 3rd March 2021

It was

RESOLVED that the above Minutes of the Meeting of the Rights of Way Committee, previously circulated, be taken as read, approved, and signed. Prop Cllr Mrs Mitchell, sec Cllr Mrs Padley

ROW7/21 WCA 749 Definitive Map Modification Order Application Consultation – Proposed addition of restricted byway at Hewaswater, St Mewan PC

Members agreed unanimously that the proposal to convert an entire Highways Byway into a restricted Byway where there are occupied dwellings with driveways and garages is something the council cannot support. It was agreed more information is required on the submission made and formerly respond if there are specific issues. Prop Cllr Mrs Mitchell, sec Cllr Mrs Padley. **Action: Clerk writes to Cornwall Council.**

ROW8/21 Agency Byway 419/1/1 – Stoney Lane

Resident concerns. Cllr Holman reported his findings on the drainage issues on the above Byway open to all traffic. It currently has no signage at either end or signs at the junction with St Margaret's Lane



The lower eastern end of the Byway runs downhill into Tregongeeves Lane. The centre part of this section is worn away due to water running down the centre of the Byway. There has been a channel maintained privately for many years on the southern edge to keep water away from the centre of the Byway. It appears someone has created a bank on this side which has resulted in the water now flowing into the centre again and is clearly damaging the Byway.

It was

RESOLVED a site visit is needed with Cornwall Cllr Michael Bunney, the Countryside Access Team and Cllr Holman with the view to inserting a channel of pipe which will then ensure there is adequate drainage. Prop Cllr Holman sec Cllr Mrs Mitchell. **Action: Clerk to write a report to Cornwall Council.**

ROW9/21 Agency Bridleway 419/41/1 – Tyshute Lane to South Polgooth Mine

Resident concerns. Cllr Holman reported his findings on the above Bridleway. It currently has no signage at either end. From the Northern end the Bridleway has been well maintained and resurfaced as far as the 2 gates shown on the map attached. Above this the Bridleway is clear and continues SW before turning SE onto the minor rd. The maintenance has created a 'graded' path with wooden barriers to prevent the centre being washed away. The works have been carried out by Cormac. At the southern end where the Bridleway turns SE on to the minor rd, there is a footpath which continues over a stile, runs SW turning S past South Polgooth mine as far as the road (brown on map) This is not a ROW but a permissive path granted by the landowner. Local knowledge suggests it is well used and the stile is well maintained. It is suggested that after negotiation with the landowner, investigations into making this a Right of Way footpath.

It was

RESOLVED the clerk makes enquiries to Cornwall Council requesting an approximate timescale. Prop Cllr Holman, sec Cllr Mrs Padley. **Action: Clerk**

ROW10/21 Footpath 419/4/1 – Woodgrove Park to Tyshute Lane

Resident concerns. Cllr Holman reported his findings. It currently has no signage at either end or at any points indicated on the map. The path was on the Definitive Map and used as a Right of Way but is not traceable on the ground and possibly did not come forward on the current Definitive Map. There is no evidence of its existence, but earlier Ordinance Survey maps show a different route. At the southern end of Chapel Green is a steep bank. At the northern edge at the edge of Chapel Green the path again is not discoverable at the steep bank. The fact that the path is blocked does not mean it is not a Public Right of Way as it is on the Definitive Map. There is a legal principle 'Once a highway, always a highway. It remains in existence unless and until it is lawfully closed or diverted and can only arise out of legal action.

It was

RESOLVED a site meeting is arranged with Cornwall Cllr Michael Bunney, Cllr Holman, and the Countryside Access Team as soon as possible. A revision of the Definitive Map is needed, and the Ordinance Survey must be informed so the maps can be updated which shows the possible error. There appears to be a potential build going in over the existing Right of Way. The clerk confirms the Local Authority should review the Definitive Maps every 5 years. Prop Cllr Mrs Padley, sec Cllr Holman. **Action: Clerk**

ROW11/21 Parish and Agency Footpaths

The clerks advise members the contractor has increased the costs on all grass cutting and footpath schedules. This is an agenda item at the September Full Council meeting.

419/8/1 – Cllr Holman to investigate concerns and report back at next meeting.

419/11/1 – Silver Footpath. This path was being considered for an upgrade to GOLD back in 2018/2019. The clerk to revisit with the Countryside Access Team as this is a well-used footpath.

ROW12/21 Bridleways in the Parish

419/34/1 – Cllr Mrs Padley requests branch trimming at the Glenleigh end is carried out to the required height.

Currently there is no signage at either end. Members agreed this bridleway should undertake some works enabling a safe passage for all. Horse riders are inconsiderate when using the fenced walk area in Sticker Open Space (namely the dog field)

It was

RESOLVED the clerk writes to the Countryside Access Team. Prop Cllr Holman, sec Cllr Mrs Padley. The Chairman requests the clerk adds Byways to the Bridleway agenda heading. **Action: Clerk**



ROW13/21 South Polgooth Mine

Resident concerns that South Polgooth Mine, a grade II listed building is in poor repair and does look unsafe, it is heavily overgrown. The clerk recommends Cornwall Cllr Bunney is involved due to his extensive knowledge on grants available for historic buildings.

It was

RESOLVED Cornwall Cllr Bunney attends a site meeting with Cllr Holman and the Landowner. Prop Cllr Mrs Padley, sec Cllr Mrs Mitchell.

ROW14/21 Footpath Post and Sign Inspections

Members viewed Cllr Holman’s detailed spreadsheet on all footpaths and on the inspections, he has carried out on post and signs missing for the EPS.

Members went through the extensive numbering.

- 19/1 – To remove, not accessible
- 29/1 – Check up to Parish boundary
- 29/2 – Dispose and amalgamate with 29/1
- 32/1 – Nit in use
- 31/1 – Not in existence
- 33/1 – Not in use
- 43/1 – Not in use
- 47/1 – Not in use
- 38/1 – Further investigations

The clerk will need to check spreadsheet against LMP work schedule. There is still a lot of work to do and will advise CAT of the current status.

The clerk will forward the spreadsheet to Cllr Maguire as he is keen to assist in this reporting.

ROW15/21 Correspondence received up to time of meeting (previously circulated and for information only)

Trewoon resident regarding heavy overgrowth on a footpath opposite the White Pyramid. This is Imerys land and is not the responsibility of the Parish Council.

ROW16/21 Items to agenda for next Rights of Way meeting.

None

The clerk thanked the Chairman for findings on resident concerns.

There being no other business to be transacted the meeting was closed at 12.02 pm

Signed.....
Chairman of Rights of Way

Date.....

Rights of Way Committee Members

- Cllr Holman (Chair)
- Cllr Mrs Padley (Vice Chair)
- Cllr Mrs Mitchell
- Cllr Jannaway
- Cllr Spencer

