



Minutes of a meeting of the **Calstock Parish Council, FOOTPATHS COMMITTEE**  
held on **Tuesday 25 January 2022, in the Tamar Valley Centre at 1815.**

Those present were; -

**COUNCILLORS:** Cllr Brown, Cllr Boreham, Cllr Greenwood (Chair), Cllr Newton Chance, Cllr Polglase, Cllr Trapp, Cllr Wells, Cllr Wakem,  
Miss Sue Lemon (Clerk), Miss Clare Bullimore (Deputy Clerk - *minutes*).  
1 member of the public (Ali Holland).

#### **1. ELECTION OF CHAIR**

**Proposal/resolution:** Cllr Greenwood be elected Chair. Proposed Cllr Wells, seconded: Cllr Polglase  
- unanimous

#### **2. APOLOGIES**

Cllr Alford

#### **3. DECLARATIONS AND DISPENSATIONS OF MEMBERS' INTERESTS IN AGENDA ITEMS**

Cllr Newton Chance had contacted the Clerk prior to the meeting to declare an interest in the modification order but was allowed to speak on the subject as his interests and knowledge were for the wider parishes benefit. Cllr Brown declared a family interest and left the room during discussions on the modification order.

#### **4. PUBLIC PARTICIPATION**

Ali Holland was present.

#### **5. APPROVE MINUTES OF LAST MEETING – 29-10-19**

**Proposal/Resolution:** the minutes be approved. Proposed: Cllr Polglase, seconded: Cllr Wells – agree by all those present at the last meeting.

#### **6. REVIEW TERMS OF REFERENCE**

**Proposal/resolution:** subject to a couple of edits, the TOR's were approved. Proposed: Cllr Greenwood, seconded Cllr Polglase – unanimous.

#### **7. MODIFICATION ORDER: WCA 547**

**Cllr Brown left the room.**

There was discussion about the path being indisputably marked on ordnance survey maps up until the 1940's; the Neighbourhood Development Plan citing the support of green 'infrastructure'; the Footpath Society and wider public wishing the path to be instated. However the objections from members of the public were also noted and it was noted that the path had been removed from recent ordnance survey maps. There is concern over the financial cost to the Parish Council should



an objection continue to be raised and the Parish Council should not be prepared to cover the cost of a judicial review. A proposal was made to withdraw the objection.

**Counter proposal:** the Parish Council is neither in a position to support nor fully object to the modification order and does not feel it is in the interest of the Parish Council or parishioners to get embroiled in any legal dispute and the financial costs that could be incurred. Current substantive evidence appears to be lacking therefore it is proposed that we agree to disagree with Cornwall Council. Proposed: Cllr Trapp, seconded: Cllr Wells. In favour of this proposal: Cllr Trapp and Cllr Wells (2); objections to this proposal: Cllr Polglase, Cllr Greenwood, Cllr Boreham (3); abstentions to this proposal: Cllr Wakem (1) – those who did not vote having declared an interest: Cllr Brown and Cllr Newton Chance (2). **This proposal was not carried.**

**Proposal/resolution:** the Parish Council makes a recommendation to the Full Council to withdraw its objections to this modification order not least because it should not be incurring any financial costs around a legal case. Proposed: Cllr Newton Chance, seconded: Cllr Polglase. Votes in favour of this proposal: 4 (Cllrs Polglase, Greenwood, Boreham, Trapp). Votes objecting to this proposal: none. Abstentions: 2 (Cllr Wells and Cllr Wakem). Did not vote: Cllr Brown and Cllr Newton Chance.

**8. PERMISSIVE RIGHT OF WAY, CALSTOCK RIVER PATH – CLLR BROWN REQUEST FOR THIS AGENDA ITEM**

Following on from the update at the Full Council meeting earlier in the month, Cllr Tinto joined the meeting to reiterate what the Clerk had previously said which is that there are ongoing discussions between the Environment Agency, the Tamar Community Trust and the Parish Council as an interested third party and it is hoped that the issues will be resolved soon and that the path will be opened by the end of February as indicated by the Environment Agency. As soon as any more information is available it will be shared.

**9. DISPOSAL OF LAND BY DUCHY OF CORNWALL, DRAKEWALLS – CLLR BROWN REQUEST FOR THIS AGENDA ITEM**

As relayed at the Full Council meeting on 11-01-2022, The Duchy of Cornwall had sent a letter to the Parish Council to inform them of their intentions to dispose of land at Drakewalls. Cllr Brown surmised that they were doing so because a footpath runs on the edge of the parcel of land. This was noted.

There being no further business the meeting closed at 1855.

Signed: ..... Date: .....