

**Carmarthenshire Local Access Forum**

**Thursday 11<sup>th</sup> May 2017**

**Tywi Centre, Llandeilo, 6pm**

**Present:**

**Members:**

Mark Hadley (MH) – LAF Chair  
Jillie Gardiner (JG)  
Glyn Evans (GE)  
Richard Leggett (RL)  
Caroline Evans (CE)  
Ed Percy (EP)

**Secretary (interim)**

Caroline Ferguson (CF) (CCC Acting Countryside Access Manager & LAF Secretariat)

**Advisors/ Observers/Speakers/Members of the Public**

John McEvoy – (JMc) CCC Road Safety & Traffic Manager,  
John Morgan – (JM) Chair Ceredigion LAF & LAF National Representative  
Helena Burke – (HB) CCC Countryside Searches & Access Assistant  
Brian Phillips – (BP) Bronwydd Community Council

**Apologies (Members)**

Karen Burch (KB) – LAF vice Chair  
Martin Murray (MM) (CCC Maint Rep)  
Geoff Williams (GW)  
Jane Evans (JE)  
David Stacey (DS)  
Chris Rankin (CR)  
Gerald Brown (GB)  
Chris Rankin (CR)  
Keith Morgan (KM)

**Apologies (Advisors/Observers)**

Glyn Jones (GJ) NRW

\*CCC in these minutes refers to Carmarthenshire County Council

ITEM	ACTION
<b>Items 1 Welcome &amp; Introduction</b> MH  MH welcomed all to the meeting and introduced John Morgan, John McEvoy and Helena Burke to members	
<b>Item 2 New Members/Resignations</b>  Chris Rankin has resigned, effective immediately. Notification of this was provided via email alongside her apology for tonight's meeting.	



JMc pointed out it would only be processed if funding was secured from the applicants.

EP suggested that this should be the process for all proposed TROs.

JG suggested all existing TROs should be reviewed for effectiveness/suitability.

MH agreed that this should be the case 'in an ideal world'.

JMc explained TROs can be reviewed and revoked if it's considered necessary but process incurs a cost.

JG suggested that only experimental Orders should be used, never making them permanent.

JMc – experimental Orders can only remain in force for 6 months then a permanent decision must be made.

JM asked whether TROs should be permitted where the closure is due to lack of maintenance.

CF explained that criteria for making a TRO are specific. One example would be to avoid danger to the public - if a route is an inherent safety risk then a TRO would be a mechanism to prevent the imminent risk of danger/injury to a member of the public. That problem arising out of a lack of maintenance would not remove the safety concern or the legitimacy of the TRO; maintenance would need to be addressed as a separate matter with the relevant highway authority.

JMc finished by adding that lessons have been learnt and he now hopes to develop a good working relationship with the LAF as well as continuing to work with the BUG.

CE queried a BUG constitution.

MH explained that it is an informal discussion group therefore does not have a constitution.

MH added that he and the LAF vice Chair hope to meet with the newly elected Executive Board Member for Countryside Access matters to explain the work of the LAF. This meeting is being arranged with the hope that the EBM will attend some LAF meetings and take any concerns/praise away for consideration in the same way that departments such as Traffic Management are beginning to do.

CE asked when Cllrs/EBM will be appointed.

JMc – 24<sup>th</sup> May 2017.

<p><b>Item 5 Consideration/Approval of Minutes - Meeting held 16/02/2017</b></p> <p>The minutes were checked and approved subject to 1 correction...</p> <p>1) Richard Leggett to be added to members present and removed from apologies.</p> <p>CF will make corrections and send for translation.</p>	<p><b>CF</b></p>
<p><b>Item 6 Matters Arising from Minutes</b></p> <p>None</p>	
<p><b>Item 7 LAF Chairs Meeting 2017</b></p> <p>MH read notes from GW attendance at Chairs meeting on behalf of Carmarthenshire.</p> <ul style="list-style-type: none"> <li>- LAF's being on Public Service Boards was raised – something the Carms LAF should pick up in the future.</li> <li>- 2026 cut of date – suggestion is that as the WG would have to enact the relevant section of the CROW Act before it can apply in Wales. Could/should Welsh LA's simply prioritise research of used routes irrespective of a cut off that may never be enacted?</li> </ul> <p>JM added here that prioritisation of 'used routes' (such as paths marked on OS base mapping but not PRowWs) could be more beneficial than trying to prove the existence of alleged rights along unknown paths.</p> <p>MH then suggested that JM give highlights from the Chairs meeting as he attended.</p> <p>JM started by expressing importance of LAFs being about working and fulfilling a useful function not just being a 'talking shop'.</p> <p>LAFs can do a lot themselves to improve their appearance to others and their charisma.</p> <p>3 main fundamental recommendations came out of the meeting...</p> <ol style="list-style-type: none"> <li>1) Produce a code of best practice so that LAF performance can be benchmarked in a structured way.</li> <li>2) Circulate a paper of formally agreed roles and responsibilities between the LAF and the LA to help achieve the important functions of both parties.</li> <li>3) Review of Governance – WG regulations should be looked at to review how the Chair is appointed, the term of a LAF (extend?), the deadline for appointing a new forum (reduce?) and the criteria for membership (ensuring proposed members are able to commit time to forum).</li> </ol> <p>CE suggested here that a rollover period of an existing LAF could apply until the new LAF is appointed.</p>	

Discussion in respect of formalising LAF relationships with Community Councils to mirror English Parish Councils who are a main part of the LAF focus.

Publicly funded projects – LAF should take on a formal role, providing advice that the LA must have regard of.

JG added here that there is nothing in the Regulations that allows the LAF to have an impact on LA decision making – could there be a mechanism to escalate comments if not considered?

JM – this would go back to LAF-LA agreement.

LAF Conference – there will not be a 2017 Conference but instead a Chirs and Secretaries meeting to bring all up to speed on objectives. Also the possibility of Secretaries meetings discussed – North Wales/South Wales split.

Glastir – LAFs struggle to know who is in the scheme and what can be realistically achieved through the scheme. Present system doesn't work, more guidance is needed from LAF to inform Glastir decisions – needs to be a more practical approach to proposals.

MH added here that the Carmarthen LAF took a decision not to comment on Glastir proposals without access to data showing all land within the scheme.

JM clarified the Ceredigion LAF approach – no specific plans produced in respect of schemes but a set of general criteria submitted. Noteworthy that Glastir paths are only available through the 5 year scheme

CE added as a final point for LAFs in general - Skype could be an excellent solution for members unable to attend a meeting(s) – omni-direction microphone would be needed for this.

**Item 8 – Heads of Service Meeting**

MH – the LAF letter to the Chief Executive (CEX) was passed to CCC Legal dept. and relevant Heads of Service (HoS).

Meeting arranged April 2017 between LAF and HoS – very positive and useful meeting which opened up a dialogue and addressed all points raised in the CEX letter.

Commitment made by both HoS to attend at least one LAF meeting per year - each to attend meeting incorporating most relevant agenda content to their service as determined by LAF sec.

A minuted set of actions were agreed at the end of the meeting – has been circulated to members.

Next HoS meeting scheduled for October - any concerns/issues can be discussed at Sept LAF and taken to meeting for discussion/resolution.

**CF**

**Item 9 Towy Valley Path**

MH – following LAF request for financial details, pages of the review (undertaken by consultants) containing Economic Appraisal were provided, nothing more.

CF subsequently requested full report on behalf of LAF, nothing received so far, last update – request being considered by the Board.

MH seriously questions figures that make up economic appraisal.

JG – according to guidance LAF are statutory consultees on access but were not consulted and not being treated as stat consultees on a £5m project.

JM advised that the statutory consultee status of LAF only applies to certain things – this argument may be a dead end. He has documentation that may help clarify this that he can send but more beneficial would be improving the LA – LAF relationship; a CCC officer should not be excluding LAF.

Agreed view of the LAF is still one of concern. Will the scheme be a ‘white elephant’ that is underwater most of the year?

RL – issue is not that the path would be a ‘good asset’ for the County but that it will cost millions and where is money likely to be diverted from?

MH – LAF are questioning best value.

EP – is the path plan taking into account the Llandeilo by-pass

CF - Yes

MH – The TVP can be raised with new EBM

RL – can the name of the new EBM be circulated to LAF members asap?

CF – LA officers are keen to build bridges and work with LAF - Traffic Management and Planning are already on board.

JM – why are LAF so opposed to the scheme?

JG – A £5m scheme that is not really of interest to walkers and equines have been excluded to date – not multi-user.

MH - Lack of consultation & lack of information being released

RL – Can LAF concerns be raised to CEx?

**CF**

**MH**

**Item 10 BBNP Delegation Agreement**

BBNP legal team now drawing up revised Agreement. New Agreement will be subject to 3 year review where any concerns can be raised.

<p>CF to circulate any updates if further progress is made before next LAF meeting.</p>	<p><b>CF</b></p>
<p><b>Item 11 ROWIP Review 2017</b></p> <p>CF Process is going well.</p> <p>ROWIP Stakeholder meeting held 11/05/17, led by Capita – 12 attendees, some information gathered during session, some to follow.</p> <p>Review needs to go to CMT before next stage – 12 week consultation (due to commence in July)</p> <p>Subcommittee have met to go through actions and policies of last ROWIP. A long but productive process.</p> <p>Draft document will be circulated to LAF during 12 week consultation before anything is finalised.</p> <p>List of consultees for 12 week consultation list will be circulated to LAF.</p> <p>LAF members could circulate the consultation to smaller/local groups.</p>	<p><b>CF</b></p> <p><b>All</b></p>
<p><b>Item 12 Update on Recruitment – CA Legal and Maint Teams</b></p> <p>CF update re: <u>CA Legal</u> - Process has moved forward, information for vacant Officer post presently with Director for approval to put back out to advert.</p> <p>Process will only achieve a repositioning of existing staff initially as all vacant posts in the Authority are initially advertised internally and therefore are likely to be filled by present staff.</p> <p>MH – LAF were told at Hos meeting that recruitment into vacant posts would be achieved within 3 months</p> <p>RL does not think that this is achievable given the timescale. Can the LAF write to the relevant HoS (Steve Pilliner) if recruitment assurances are not achieved?</p> <p>MH to write letter requesting recruitment update following 3 month deadline.</p> <p>CF update re: <u>CA Maint</u> – New Senior Outdoor Recreation Manager now appointed at Pembrey (Neil G Thomas) and has already asked to be on LAF meeting invite list.</p> <p>Recent meeting has taken place in respect of recruitment/restructure of Ranger team. No feedback received in respect of this yet.</p>	<p><b>MH</b></p>



Indications from discussions were that Scottish Model will not be adopted in Wales, that there may be multi-user entitlements on footpaths and that improvements will be made in the area of Advisory Groups.

CF – statement seems to be a basic round-up of the Green Paper outlining a need for change in Wales with a ‘Made in Wales’ approach....this needs to link seamlessly with English legislation.

MH – further discussion needed once White Paper is published.

JM – should include some interesting updates for LAFs.

### **Item 16 AOB**

#### LAF Annual Report

MH – Needs to be signed off...any amendments?

RL – date is incorrect on outstanding issues reporting, need to correct.

JM – producing an Annual Report is good practice as is good for use as publicity document, it must be widely circulated.

CF confirmed that the Carms Ann Report is circulated every year.

#### Brechfa Wind Farm

Concerns raised through Ramblers regarding physical upgrade of sections of Footpath to roadways then used for lorries hauling wind farm materials.

Jason has discussed this matter with NRW and the windfarm representative and has been reassured that:

- re-surfacing works are not yet completed, a top dressing will be added to bring the surface up to high standard.
- the new surfacing will improve accessibility for all.
- vegetation will recolonise and soften the appearance of the routes that have been subject to works.
- the older routes that exist through the forestry have been subject to similar improvements over the years, without which they would have become impassable. Since the completion of these works the routes have re-greened and now appear unimproved, sections that have not been improved in any way are virtually inaccessible.
- the section of FP 13/90 will no longer be used by vehicles as per the public access management plan.

RL questioned how the works are being policed?

CF – NRW have a presence on site and Bethan Edwards undertakes a supervisory role.

**CF/MH**

EP explained he was on the Community Liaison Committee for Brechfa and observed a lot of negative input, not strictly related to public access, which he considers led to the current situation where the Windfarm are carrying out works in a way that best suits them.

JG did not consider this an accurate reflection of the Liaison Committee meetings.

MH suggested that Bethan Edward's replacement be invited to the next LAF meeting to raise these emerging issues.

CF suggested to also invite Gordon Beard – NRW representative.

JM – If PRoWs follow haul roads, how much consultation was there with CCC?

CF – there was consultation and extensive discussion with NRW and Windfarm but it appears the specification of possible upgraded sections was not requested/supplied.

JG – again the LAF were not properly consulted

RL – what can be done about activities taking place across the development that shouldn't be?

EP – Planning Enforcement officer should be able to issue a Stop Notice for breach of planning consent.

LAF will take this to the relevant Authority (CCC Enforcement)

### 3D Walking

MH – January and Easter deadlines have been missed, still not off the ground. Project is still awaiting final agreement between various LA's involved.

### BBNP Research Fund

JG - BBNP are funding a research project on the impact of dogs in the Countryside, consulting with landowners/farmers. Could be interesting content for LAF discussion, need to keep an eye on the project and ask for feedback.

### Gelli Aur

Question raised by RL as to whether the Welsh government has provided funding for the park? Would it be open to the public?

CF queried funding with Leisure dept. - CCC have had no involvement since losing the lease.

**CF**

**CF**

**MH/RL**

<p>£100,000 Visit Wales grant awarded, no response from Visit Wales in respect of what money was allocated for or how work/spend is being monitored.</p> <p>Richard Salmon (Gelli Aur Trustee) responded to RL confirming that grant money has been spent, Café is due to open to public in June along with some of the walks at a later date.</p> <p><u>Caroline</u></p> <p>Going on Maternity Leave at the end of June, will be off work for 10 months.</p> <p>HB will facilitate LAF during CF absence, any content in respect of the Countryside Access team (legal) will come from Jason or Lucy who will attend alternate meetings.</p>	
<p><b>Item 17 Future Agenda Items</b></p> <ul style="list-style-type: none"> <li>- Towy Valley Path</li> <li>- County Walks Review - rationale</li> <li>- Brechfa Wind Farm</li> <li>- Issues to take to HoS meeting</li> <li>- BBNP Delegation Agreement - update</li> <li>- ROWIP Review - update</li> <li>- Quarterly Issue Reports</li> <li>- Recruitment - update</li> </ul>	
<p><b>Item 18 Next meeting</b></p> <p>28<sup>th</sup> September 2017 – Carmarthen Leisure Centre</p> <p>Venue, date &amp; time published on website:</p> <p><a href="http://www.carmarthenshire.gov.wales/home/residents/leisure-outdoor-activities/public-rights-of-way/local-access-forum/">http://www.carmarthenshire.gov.wales/home/residents/leisure-outdoor-activities/public-rights-of-way/local-access-forum/</a></p>	