

**Carmarthenshire Local Access Forum**

**Thursday 7<sup>th</sup> December 2017**

**Tywi Centre, Dynefwr Farm, Llandeilo, 6pm**

**Present:**

**Members:**

Mark Hadley (MH) – LAF Chair  
Karen Burch (KB) – LAF vice Chair  
Jillie Gardiner (JG)  
Richard Leggett (RL)  
Geoff Williams (GW)  
Dai Stacey (DS)

**Secretary (interim)**

Jason Lawday (JL) - CCC Countryside Access Officer)

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

Cliff Cleaton (CC) - CCC Acting Countryside Access Manager  
Richard Waters (RW) - CCC  
Martin Dolan (MD) - Capita  
Paul Barrett (PB) – Llanelli Ramblers (member?)

**Apologies (Members)**

Jane Evans (JE)  
Caroline Evans (CE)

**Apologies (Advisors/Observers)**

Stephen Pilliner (SP) – CCC  
Sam Palmer (SamP) - CCC  
Neil Thomas (NT) - CCC  
Ian Jones (IJ) – CCC  
Cllr. Peter Hughes-Griffiths - CCC

\*CCC in these minutes refers to Carmarthenshire County Council

ITEM	ACTION
<p><b>Items 1 - Welcome &amp; Introduction</b></p> <p>MH welcomed all to the meeting.</p>	
<p><b>Item 2 - New Members/Resignations</b></p> <p>Clive Poulton from the Disability Coalition is interested in becoming the Disability Representative for the LAF and will be invited to the next LAF meeting in Carmarthen.</p> <p>Paul Barrett from Llanelli Ramblers may be replacing John Cook on the LAF and agreed to complete an application form.</p>	

**Item 3 - Apologies**

Apologies were taken and recorded.

**Item 4 – ROWIP update**

MD - Presented first draft of ROWIP – not yet 100% complete. Explained process – 12 wk consultation from mid-September, collated responses to create draft. Consultation responses (4 categories of stakeholders):  
Community / Town Councils – 3 out of 45 responded  
Landowners – 17 responses  
Organisations – 6 responses  
Public – 41 responses  
In addition to on-line consultation a workshop day was held at the Tywi Centre.

MD - Explained that some statutory compliances / guidance was woolly. No major changes to draft previous seen by LAF. No changes to policies, minor changes to action plan.

MD - Original plan to publish in January will not now happen, as the guidance provided by WG indicated that the ROWIP should be published within twelve months of the expiry of the previous ROWIP, so now will wait to publish in March to give extra time for signing-off, minor changes, etc. No other Authorities have published yet and it would be useful to compare ours with any published in the meantime.

GW - Who will have the ‘last word’ – CCC or LAF, and what is the sign-off process?

MD - Unsure – CCC would need to clarify, as this is not part of his role.

RL - Has advice been sought from Welsh Government?

MD - No, will make enquiries.

JG / RL – Concerned if the LAF are responsible for signing-off, and would need to see / approve the draft following consultation and before publication.

MD – This would be a decision for CCC, as he is working to agenda set by CCC.

RL – Concerned that there is a very tight schedule. Will this need to be approved by Scrutiny Committee?

KB – In view of the consultation meeting, the LAF are supportive and I do not envisage a problem unless the final product is different from the draft.

MD – Draft will not be finished before Christmas.

MH – Will follow up next week re; signing-off.

**MD**

**MH**

<p><b>Item 5 – Consideration &amp; approval of minutes</b></p> <p>The previous minutes were accepted subject to a change to Item 6 by KB.</p>	
<p><b>Item 6 – Matters arising from Minutes</b> – not otherwise agenda items.</p> <p><u>MH</u> – Previous minutes not on website</p> <p><u>GW</u> – Some LAF’s have their own website – would it be beneficial if LAF had their own instead of using CCC website?</p> <p><u>Discussed</u>, general opinion was that it would not be beneficial because of the translation issues and the commitment to keeping it up to date.</p> <p><u>CC</u> – Explained that the delay was due to the ongoing staffing situation and translation requirements.</p> <p><u>GW</u> – would it be beneficial if the Minutes could be made more concise?</p> <p><u>MH</u> – Will discuss in next Heads of Service Meeting in March.</p> <p><u>CC</u> – Brief update on staffing in reference to above.</p> <p><u>Item 5 Matters Arising from Minutes</u></p> <p><u>MH</u> – LAF Annual Report not on website – is it ready to be published? Was filed in March / April.</p> <p><u>RL</u> – This is an admin issue that could be completed by admin staff, maybe not part of the legal team, and it shouldn’t take away resources from legal work. Can this be taken up by a senior officer to address. This is a statutory duty. <b>(Agreed)</b></p> <p><u>Item 6 Tywi Valley Path</u></p> <p><u>KB</u> – Slight inaccuracy in Minutes transcription – should say that CCC are using the usual excuses of there being issues with landowners not wanting horses on path, widths, surfaces, etc. Will provide updated statement.</p> <p><u>MH</u> – asked for copy of full report, still not received.</p> <p><u>Item 7 – Brechfa Wind Farm</u></p> <p><u>MH</u> – Discussed poor quality of maps, has contacted INNOGY, and received a reply that they will review maps and signage.</p> <p><u>JG</u> – Some signs not on entry points causing confusion – will follow up.</p> <p><u>Item 8 – County Walks Review</u></p> <p>Discussion – will CCC continue with paper maps, or develop apps?</p> <p><u>Item 9 – LAF member recruitment</u></p>	<p><b>MH</b></p> <p><b>JL / LP</b> (Lucy Pugh CCC)</p> <p><b>CC</b></p> <p><b>KB</b></p> <p><b>MH</b></p> <p><b>MH</b></p> <p><b>JG</b></p> <p><b>MM</b> (Martin Murray CCC)</p>

<p><u>MH</u> – Has not invited NRW representative as yet. Previous NRW rep had suggested not required to attend every meeting.</p> <p><u>GW</u> – Who is the contact on the NRW mailing list?</p> <p><u>KB</u> – If no representative is available, could it be possible to get some contribution, i.e., a written statement?</p> <p><u>MH</u> – Some issues have been forwarded to NRW and addressed.</p> <p><u>Item 10 – Countryside Access Team Recruitment</u></p> <p><u>MH</u> – now receiving planning applications.</p>	<p><b>MH</b></p> <p><b>JL</b></p> <p><b>MH</b></p>
<p><b>Item 7 – Tywi Valley Path</b></p> <p><u>JL</u> – handed out copies of an update statement from Sam Palmer CCC. (send out copies to members)</p> <p><u>MH</u> – Read out statement.</p> <p><u>MH</u> – Concerns regarding long-term maintenance not yet addressed. Will follow up.</p> <p>General discussion regarding negotiation and compulsory purchase orders.</p> <p><u>KB</u> – If land is to be CCC owned, then why can the Authority not make the decision regarding horses?</p> <p><u>MH</u> – What will be the operational strategy?</p> <p><u>GW</u> – What is ‘operational facility’ and ‘maintenance regime’?</p> <p><u>KB</u> – At the Heads of Service meeting it was said that local businesses who will benefit <u>and possibly</u> contribute.</p> <p><u>MH / CC</u> – It was also confirmed at the Heads of Service meeting that no money will be coming out of PRow budget to pay for the creation or maintenance of the path.</p> <p><u>DS</u> – Has used cycle routes in other parts of the country, where they are used extensively. Does not believe that this route will get as much use.</p> <p><u>GW</u> – Local benefits would be good.</p> <p><u>JG</u> – Are CCC aware that they must consult LAF in regards to this?</p> <p><u>MH</u> – Will get Sam Palmer to attend LAF.</p> <p><u>KB</u> – Stated that disinfectant pads for cycles will be used on path when the issue of biosecurity caused landowners concern. This seemed to be an expensive ongoing commitment to keep these pads topped up. No such effort was going to be made to allow horses.</p>	<p><b>JL</b></p> <p><b>MH / SamP</b></p> <p><b>MH / SamP</b></p> <p><b>MH / SamP</b></p> <p><b>MH / SP</b></p> <p><b>MH / SamP</b></p> <p><b>MH / SamP</b></p>

<p><u>JG</u> – Has advice been sought from vets whether there was a risk with contact between horses and cattle?</p> <p><u>MH</u> – Enquired whether LAF members had any links with relevant landowners.</p> <p><u>DS</u> – has links with Gelli Aur College, and will make enquires to see whether the access for horses was put forward positively by the council. <u>gauge landowner’s points of view, etc.</u></p> <p><u>KB</u> – Very skeptical regarding CCC’s intentions and willingness to provide <u>regarding</u> equestrian access.</p> <p><u>CC</u> – Can understand LAF’s frustration.</p>	<p><b>MH / SamP</b></p> <p><b>DS</b></p>
<p><b>Item 8 – Brechfa Wind Farm</b></p> <p><u>JG</u> – Gave update on Community Fund provided as a consequence of the windfarm development.</p> <p><u>MH</u> – Can Local Authority access funding for local projects?</p> <p><u>JG</u> – Some outside organisations are looking to access funding. Possibility that WG may syphon off funding, and WG has not published guidelines on how local communities can benefit. INNOGY have had a meeting with outside organisations, and are currently looking for ideas on how to spend. Fund should be approximately £400 K per annum.</p> <p><u>JG</u> – Concerned regarding public liability in regards to tracks on Open Access land which are within TAN8 recommended safety area of turbines but are not rights of way as the distance from turbines is not subject to guidelines, i.e., forest routes. Public liability cover may not be valid if safety guidelines not followed. This was repeated grounds for objection. Is funding available for alternative routes?</p> <p><u>MH</u> – Will Authority have any comeback? Small businesses could be vulnerable regarding liability if directing people to use facility.</p> <p><u>GW</u> – At other sites on Open Access land walkers often do not keep clear of turbines.</p> <p><u>JG</u> – There have been cases where turbines have collapsed or burst in to flames.</p> <p><u>JL</u> – Has been attending stakeholders meetings. Update regarding Traffic Regulation Order (TRO), which will be expiring in early February, and will not be extended. Alternative routes now fully available, with two new bridges over the AFon Pib (one a bridleway bridge, the other a footbridge). Work has been extended to include access points and other routes connecting with new network. JL working with developer and NRW to carry out improvements on existing PRoW’s within development area. New network to become part of Open Access network within forest.</p>	<p><b>MH / JL</b></p>

<p><b>Item 9 – LAF Members Recruitment</b></p> <p><u>PB</u> – Changes in Llanelli Ramblers and happy to join the LAF in place of the current member who is not able to attend.</p> <p><u>CC</u> – Will contact / invite Clive Poulton</p>	<p><b>MH</b></p>
<p><b>Item 10 – Countryside Access Team Recruitment</b></p> <p><u>CC</u> – JL now confirmed as Countryside Access Officer, so filling of Assistant post will be progressed. New Searches Assistant to start on Monday.</p> <p><u>JL</u> – We currently have a temporary assistant carrying out searches, and a specialist consultant who is progressing various legal cases.</p> <p><u>RL</u> – Questioned length of time taken to fill vacancies.</p> <p><u>CC</u> – Explained that process is unfortunately slow. Maintenance team are now fully staffed.</p> <p><u>GW</u> – Has the BBNP got a new Chief Executive?</p>	<p><b>MH</b></p>
<p><b>Item 11 – PROW Network Issues Report</b></p> <p><u>MH</u> – Maintenance issues have gone down, but legal issues have gone up.</p> <p><u>RL</u> – Good that we have 12 months stats to look back on. Are the Stats based on the financial or calendar year? Some inconsistencies – some show low increase, others a big increase. Maintenance stats do not appear to add up. Big increase in legal issues. Conscious of long-standing legal orders. Could the LAF have a breakdown of long-standing issues unresolved, and an idea of timescales? Maintenance issues seem stable. If looked at in regards to Performance Indicators (PI's) stats overall could be up. Would it be possible to do an electronic version of the PI's?</p> <p>General discussion on how to produce stats. Is hard stuff not being tackled?</p> <p><u>JL</u> – Explanation of old / outstanding legal cases. Some not recorded on CAMS as not yet recorded on Definitive Map, but recorded on the Schedule of Applications. LAF would like information on old cases.</p> <p><u>RL</u> – Would like to be able to do similar comparison exercise with next annual stats.</p> <p><u>JG</u> – Very important to note that the LAF can have ammunition regarding CCC not processing orders.</p> <p><u>CC</u> – Some Authorities have reduced staff, and are not carrying out orders at all, and there is a general climate of Authorities not doing work.</p>	<p><b>LP</b></p> <p><b>JL / LP</b></p> <p><b>JL / LP</b></p>

RL – Stated that the LAF understands the current staffing problems, but that their duty is to carry out the LAF’s responsibilities by querying stats and outstanding issues.

GW – What happens regarding BBNP regarding legal case work?

JL / CC – BBNP carry out their own legal work as part of the delegation agreement.

CC – Ongoing cuts will have an effect in the future.

General discussion regarding approach taken by other Authorities, and in particular to prioritization.

RW – What is the feeling of the LAF regarding maintenance of a core network only?

General negative response. Further discussion regarding statutory duties of Local Authority, and how prioritization should not remove responsibility for carrying out Statutory obligations. CCC could be acting unlawfully, and could result in scrutiny from WG. Discussion regarding potential serving of Notice on the Authority, requiring the Authority to carry out statutory obligations that could be costly in legal fees.

MH – Could the LAF contact WAG regarding the lack of funding?

JG – There is a lack of education in the Authority regarding duties and powers.

RL – ‘Walking Spaces’ Officer meeting with Martin Murray next week regarding volunteers.

PB – Llanelli Ramblers are currently carrying out waymarking work on the Heart of Wales Trail.

GW – Dynefwr Ramblers are currently discussing restarting volunteer group.

**Item 12 – Heads of Service Meeting**

KB – Had discussion regarding volunteering, LAF to contact users groups (done), then to meet key people to discuss how to organise.

DS – Assists as a volunteer with Sustrans, who do not like volunteers to do much due to concerns regarding liabilities, etc.

GW – Insurance for Dynefwr Ramblers is not a problem. Arrangements are to be finalised regarding organisation of work parties. Agreement needsd to be made regarding work areas – Community Council or post code, etc.?

RL – What will the ROWIP say regarding volunteers?

MH – It will be important to have consistency of organisational approach.

**MD / CC**



<p><b>Item 13 – Morfa Bychan update</b></p> <p><u>JL</u> – Update on current situation. Stated that although the experimental order came into force later than anticipated, it has served its purpose in highlighting issues, and identified previously unforeseen issues. National Trust has agreed to carry out additional measures; solid forestry-style barrier gate at bottom of byway to stop vehicular trespass off byway onto Dwr Cymru roadway and NT property / SSSI. Dwr Cymru to reinstall boulder at bottom of byway to prevent vehicular access onto grassed area. JL explained that there are no parking facilities at the bottom of the byway, just a turning space which can accommodate a maximum of two cars. General support locally for closure, with objections seeming to mainly originate via campaign by one individual.</p> <p><u>MH</u> – Was surprised that TRO was still in place, as previous discussion with John McEvoy suggested that the order would be cancelled.</p> <p><u>CC</u> – Confirmed that TRO would run its full course to February, as only one experimental order can be carried out.</p>	
<p><b>Item 14 Nant Gronw update</b></p> <p><u>JL</u> – Update on current situation. JL has met with NRW forest manager and agreed clearance and maintenance works to be carried out in the near future. County Walk routes were installed many years ago, but legal work left uncompleted, JL is currently progressing. Enquirer Anne Marshall, mentioned in previous minutes, to be contacted with update report. JL is happy to liaise with enquirer.</p>	<p><b>JL</b></p>
<p><b>Item 15 – FP 2/21 Land near Pantgwyn Farm, Whitemill update</b></p> <p><u>JL</u> – Update on current situation, explanation of issues and overall condition of path. Application has been referred to Planning Committee. Regardless of outcome issues currently affecting the path will be dealt with. Landowner has agreed to move shooting stands in order to comply with safety guidance, and has also agreed to review site signage. Landowner has decided to carry out his own path user survey, via feedback forms available at the south end of the path and from site staff. Currently the path is only lightly used by local people, most only using the good track at the development site, as the remainder of the path on neighbouring land is in poor condition.</p> <p><u>MH</u> – This item can be dropped from the agenda.</p>	
<p><b>Item 16 Future agenda items - discussion</b></p> <p><u>GW</u> – Queried Network Rail crossing closures – could LAF have update for next meeting?</p>	<p><b>CC</b></p>

<p><u>KB</u> – Would like CCC to adopt an equestrian strategy – item for next meeting? Also Tywi Valley Cycleway needs to be on agenda, with CCC representative to attend.</p> <p><u>RL</u> – Volunteering to be on agenda, and for CCC representative to attend BBNP delegation agreement to go on agenda.</p>	<p><b>CC/SamP</b></p> <p><b>MM</b></p>
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<p><b>Item 17 AOB</b></p> <p><u>MH</u> – Thanked GW for attending South Wales LAF Chairs meeting on the 5<sup>th</sup> October, which MH missed due to pre-arranged LAF meeting.</p> <p><u>GW</u> – Update on above meeting; main item was LAF and Local Authorities working together, and general discussion. Good cross-representation at meeting.</p> <p><u>RL</u> – Update Gelli Aur Country Park. MH spoke to owner, Mr. Salmon, café will reopen next year, but public access will continue to be limited due to health &amp; safety concerns. Arboretum still closed to the public. Access possible by appointment. General discussion – LAF will monitor situation.</p> <p><u>MH</u> – LAF annual report* – is it worth it? Why has it still not been put on the website? Council has responsibility to produce the report.</p> <ul style="list-style-type: none"> <li>• Please note that this report was put on the website prior to the last LAF meeting.</li> </ul> <p><u>JG</u> – General discussion regarding attendance.</p> <p><u>RW</u> – Thanked LAF and expressed gratitude for their work.</p> <p><u>JG</u> – Highway hedges and verges enforcement. Highways have been requiring landowners to carry out maintenance. Have Highways been carrying out unnecessary work, could this be curtailed to make a saving?</p> <p><u>MH</u> – Did not believe that this was within the remit of the LAF to address.</p>	<p><b>CC</b></p> <p><b>CC/ SamP</b></p> <p><b>LP*</b></p>
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