

Carmarthenshire Local Access Forum
Thursday 25th April 2013

Held at Newcastle Emlyn Leisure Centre 6pm

Present:

Jonathan Tudor (JT) - Secretary

Members:

Karen Burch (KB) - Chair

Mark Hadley (MH) - Vice Chair

Keith Morgan (KM)

Eric Davies (ED)

Glyn Evans (GE)

Don Lazenby (DL)

Chris Rankin (CR)

Llew Thomas (LT)

Advisors/ Observers/Speakers/Members of the Public

PS Steve Glynn – Dyfed Powys Police

Apologies (Members)

Caroline Evans (CE)

Rosemary Jones (RJ)

Eric Jones (EJ)

Katherine Nakielny (KN)

Apologies (Advisors)

Phil Stone (NRW)

Mike Scott-Archer (BBNP LAF)

Marie George (NRW)

Stella Jones (Newcastle-Emlyn TC)

Cllr Hazel Evans

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Item 1 Welcome – KB welcomed all to the meeting.	

<p>Item 2 Dog Control – Presentation - PS Steve Glynn, Dyfed Powys Police</p> <p>PS Steve Glynn went through the relevant legislation including the Dangerous Dogs Act 1991 ('the Act'). s3 of the Act states that 'if a dog is dangerously out of control in a public place' the owner or the person in charge of the dog is guilty of an offence. If the dog whilst out of control injures any person an 'aggravated offence' is committed.</p> <p>The test of whether a dog is out of control is if 'there are grounds for reasonable apprehension' that it might injure someone. CR asked what the position would be if a dog bites a horse. A court could decide that indicates that a dog is dangerously out of control and that an offence was committed. If a dog bit the rider, that would be likely to mean that the aggravated offence had been committed.</p> <p>KM said the problems often occurred when people walking their dogs met other dog walkers. PS Glynn said that the reaction of dogs in these circumstances was instinctive and depended upon how they had been trained. KB asked whether a dog running around a horse and barking was sufficient for an offence to have been committed. It could be depending on the circumstances – if the rider was worried that the dog might attack the horse or them if they got off the horse.</p> <p>The general problem with these type of incidents was subsequently identifying the dog and owner. There may also be evidential problems unless there were independent witnesses or photographic/film evidence. Otherwise it could be a</p>	
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<p>case of one person's word against another unless there was physical evidence of attack.</p> <p>A person can be fined up to £5,000 and/or imprisoned for up to 6 months if their dog is found to be dangerously out of control in a public place. If a dog injures someone the owner could be sent to prison for up to 2 years. KB asked who is responsible if a person other than the owner is walking the dog. PS Glynn said that the person for the time being in charge of the dog would be liable if they are over 16. s1 of the Act makes it illegal to own 4 specific breeds of dog being: Pit Bull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro.</p> <p>If a dog is worrying livestock a farmer is allowed to shoot it.</p> <p>JT reported that Michael Roberts, CCC Street Scene Area Environmental Officer, advised that a consultation exercise would be run about the introduction of seasonal dog bans/keeping dogs on leads (in specific areas) and cleaning up after your dog in key locations such as amenity beaches in the county.</p>	
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<p>Item 3 Apologies – Apologies were taken and recorded.</p>	
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<p>Item 4 Consideration and Approval of Minutes of Meeting held on 18th October 2012</p> <p>The minutes were checked and JT identified some minor errors and the minutes were accepted as correct as amended.</p>	
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<p>Item 5 Matters Arising from Minutes of Meeting held on 18th October 2012</p> <ul style="list-style-type: none"> • Banc Farm Byway (15/31 and 15/32), Llidiad Nenog, Brechfa. KB asked if any work had been carried out. Works had been carried out on parts of the route. However, the main issue seemed to be users going off the legal route and causing damage in the middle of a field. A possible permissive alternative along the field edge was being discussed. • Amman Valley Cycleway – KM reported that there were still negotiations with landowners on some sections within Neath Port Talbot • Great Dragon Ride – KB said that a county wide route was being looked at. • RoWIP Review – KB said that the LAF Chairs Meeting would be conducting a review and that there would be a questionnaire from NRW to LAF Chairs on the subject. 	
<p>Item 6 Brechfa Windfarm East - KB</p> <p>KB reported that the draft Access Plan consultation had now closed but that representations could still be made. During construction the cycling route would be closed but an alternative route would be provided. MH said that the mountain biking trail would be closed during construction which was a great shame as it had only recently been opened. Closure would have a detrimental effect on tourism in the area. Bridleway 15/33 would be extended and the surface improved but KB said that the extension was on forest roads which riders prefer not to use. A refuge hut was also being constructed. Carmarthenshire Riders have suggested</p>	
<p>an alternative route. KB asked if the Ramblers had any views on the proposals as they had not put in a formal response. MH asked if there would be a negative effect for walkers. DL said that as far as he was aware most walkers did not mind wind turbines.</p> <p>KB said that the Forestry Commission (NRW) have stated that Brechfa is a working forest and that vegetation will grow around the turbines and there will be re-plantings so the base of the turbines should be screened. MH said that tourism would inevitably be affected during the construction period.</p>	
<p>Item 7 Glastir – Permissive Access - JT/KB</p> <p>JT understood that the LAF would at some point receive further information from Welsh Government about land that was part of Glastir and Glastir Advanced. Currently, the LAF had said that we wished to retain existing permissive access and had identified some areas, such as Carmarthen West, where additional routes would be desirable. The LAF will be asked annually to submit additional desired permissive routes which Glastir Contract Officers will then try to implement if the landowner is in the Glastir Advanced Scheme. ED said that such permissive routes could be useful in linking existing public rights of way.</p>	

<p>Item 8 Multi User Access – BBNP Draft Code KB</p> <p>The above draft code had been circulated to members. KB said that she had already provided comments. MH thought the code was written from a walker’s perspective and seemed directed towards changing the behavior of some cyclists and needed to be a bit more even-handed. Others agreed.</p>	
<p>Item 9 Open Access Land Review – Update JT</p> <p>JT read out an email from Phil Stone of NRW stating that there were only a Minimal number of representation for Carmarthenshire concerning the draft map. A set of provisional maps would be produced in August. NRW would let anyone who had made a representation know the outcome. NRW would also make every effort to find landowners who are likely to have land added to the maps because it is a relevant habitat. Once the maps are produced in August those with a legal interest in any land shown as access land will have the opportunity to appeal against NRW’s decision if they believe the land is shown incorrectly. Any appeal will be made to the Planning Inspectorate and must be by 7th November 2013.</p>	
<p>Item 10 - AOB</p> <p>Bronwydd & Newchurch paths – there were 3 paths which featured in the promoted paths leaflet for the area that needed clearing. The CC Clerk had already reported them. JT would check the position with the Countryside Ranger Service. There was also a question about replacing benches.</p> <p>ORPA – MH reported that he had conducted searches via CCC Street Scene to check if various routes were already on highway records/List of Streets and publicly maintained. The majority so far did appear to be on the List of Streets.</p> <p>Least Restrictive Access – KB asked about least restrictive access routes in Carmarthenshire. JT said he understood that the Ranger Service attempted to open or improve at least one such route each year. JT would check on which route</p>	<p>JT</p> <p>JT</p>
<p>has been worked on.</p>	
<p>Item 11 Date/Location of Future Meetings</p> <p>The dates of the next and future meetings were agreed:</p> <p>6pm Thursday 22nd August 2013 – Llandeilo Community Education Centre 6pm Thursday 21st November 2013 – Ammanford Bowls Centre 6pm Thursday 20th February 2014 – venue tba</p>	