

**Carmarthenshire Local Access Forum**  
**Thursday 12<sup>th</sup> May 2016, 6pm**  
**Carmarthen Leisure Centre, Carmarthen**

**Present:**

**Members:**

Mark Hadley (MH) - Chair  
Karen Burch (KB) – Vice Chair  
David Stacey (DS)  
Glyn Evans (GE)  
Richard Leggett (RL)  
Edward Percy (EP)  
Keith Morgan (KM)  
Jillie Gardiner (JG)

**Secretary (interim)**

Caroline Ferguson (CF)

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

Richard Jones (RJ) – Development Management Officer, CCC  
Peter Stopp (PS)

**Apologies (Members)**

Geoff Williams (GW)  
Caroline Evans (CE)  
Alan Warner (AW) – CCC appointed member  
Eric Davies (ED)  
Glyn Jones (GJ)

**Apologies (Advisors/Observers)**

Marie George (MG) – NRW

\*CCC in these minutes refers to Carmarthenshire County Council

ITEM	ACTION
<b>Items 1 &amp; 2 Welcome &amp; Interim Secretary</b>  MH welcomed all to the meeting and introduced CF as interim secretary following Jon Tudor's departure. All members introduced themselves to CF.	
<b>Item 3 Apologies</b> (moved from item 4 on agenda)  Apologies were taken and recorded.	
<b>Item 4 Planning – Nationally Significant Development Projects</b> (moved from item 7 on agenda)  RJ presented to the forum with handouts.	

Firstly, the three current Planning regimes were explained – Town and Country Planning Act 1990, Planning Act 2008, Planning (Wales) Act 2015.

An explanation of the planning processes surrounding Nationally Significant Infrastructure Projects (NSIPs) and Developments of National Significance (DNS) under their relevant Acts was then given with details of the role of the Local Planning Authority in each case.

*KB asked whether PRowWs are specifically referenced during each process.*

*RJ said he would provide further information to MH in respect of this query as he was not sure how reference to PRowW is worded.*

*The group criticised consultation in respect of Brechfa Wind Farm.*

*RJ informed group that CCC criticised the consultation process carried out by the developer as the consultation was not considered sufficiently flexible. Passive rather than an active style of consultation.*

*EP questioned appeal process on DNS applications*

*RJ confirmed that there is no appeal process in the case of DNS*

*EP queried what policy is used to come up with decisions within Local Impact Report.*

*RJ explained that Environmental Assessment is used. Policy is not prescriptive but conclusions can be drawn through interpretation of policy.*

*JG raised concern in respect of some developers using their own consultants to 'assist' Environmental Impact Assessment results.*

*RJ confirmed that CCC use consultants to interrogate data submitted when required.*

*KM highlighted examples of faults (historically) in the decision making process.*

*KB pointed out that the fact that Impact Assessments are challenged is good news.*

*PS queried how thorough post consent discharge and monitoring of DNOs is*

*RJ explained this was difficult as enforcement is of Westminster policy.*

*PS Is there follow up assessment?*

*RJ development not yet commenced but will have powers to enforce against unauthorized development or breaches in the development consent order*

*KB queried whether lessons are learned from negative reaction to development*

*RJ Yes, if incidents are reported and evidenced*

*JG raised concern in respect of applicants hiring consultants who argue incidents are not caused by the development*

<p><i>KM queried if there is a set level for noise pollution (relating to Opencast)</i></p> <p><i>RJ The Local Authority draw from National Guidance but decisions are in-house</i></p> <p><i>PS Are WG/Central Govt compelled to take note of CCC advice?</i></p> <p><i>RJ If decision maker ignores advice, justification must be provided. Ignoring advice without justification could be detrimental to process and possible grounds for challenge.</i></p> <p>Presentation continued with details of how consideration is given to Local Access, including public rights of way.</p> <p>The status and role of the LAF during the planning process was then outlined with possible stages at which the forum can be consulted/invited to make representations/called to a hearings and who may call upon them.</p> <p><i>DS pointed out lack of Statutory Consultee Status of the LAF</i></p> <p><i>RJ stated that planning have a key role in highlighting applications to the LAF</i></p> <p><i>RL highlighted paragraph in the LAF guidance, citing ‘consultation of the LAF by the appointing Authority’</i></p> <p><i>RJ requested copy of LAF guidance, CF to supply.</i></p> <p><i>RL queried whether LAF get consulted on Planning Applications</i></p> <p><i>MH queried whether the LAF wished to receive consultations and asked CF how many we receive on average.</i></p> <p><i>RJ – The LAF can get access to the weekly list if they have an interest in applications submitted.</i></p> <p><i>CF explained the Planning department screen the applications initially using PRow on online mapping system so only sites with PRow nearby are sent on to Countryside Access. CF will supply details of how many applications are received and processed by the Countryside Access unit.</i></p> <p>JG then provided an update on Brechfa Forest Wind Farm - see matters arising, Item 7.</p> <p><i>RJ added that if the forum has any specific concerns about the Planning service in general or individual cases then they are welcome to put these to the Planning department in writing.</i></p> <p>RJ left following presentation by prior arrangement.</p>	<p><b>CF</b></p> <p><b>CF</b></p>
<p><b>Item 5 New Members/Resignations</b> (moved from item 3 on agenda)</p> <p>Becky Chunising (BC) has stood down for personal reasons.</p>	

<p>GE suggested that Mr Gerald Brown of Llanpumsaint may like to join the LAF or be a regular observer at meetings. He will follow up and request membership application form if necessary.</p>	<p><b>GE</b></p>
<p><b>Item 6 Consideration/Approval of Minutes - Meeting held on 18<sup>th</sup> Feb 2016</b> (moved from item 5 on agenda)</p> <p>The minutes were checked and approved subject to the correction of a typo on page 5 where 'officer' should read 'office'.</p> <p>CF will make correction and send for translation.</p>	<p><b>CF</b></p>
<p><b>Item 7 Matters Arising from Minutes of Meeting held on 19<sup>th</sup> November 2015</b> (moved from item 6 on agenda)</p> <ul style="list-style-type: none"> <li> <p><b>Public Space Protection Orders (Dog Control)</b></p> <p>CF supplied copies of PSPO FAQ sheets provided to the public during the Order consultation period for further details regarding reasons for and enforcement of the Order.</p> <p>RL formally requested CF check the publication status of PSPO FAQ document supplied.</p> <p>KM queried whether PSPO's were enforceable on the foreshore, CF believed they would be as long as public have lawful access but would check with Mike Roberts.</p> </li> <li> <p><b>Brechfa Forest Wind Farm</b></p> <p>JG has heard nothing regarding a meeting with RWE NPower.</p> <p>JG provided brief update on Wind Farm:</p> <p><i>Presently planning permission has not been granted for O/H power lines. Only 11 properties have signed a contract to permit power lines over their land and apparently with insufficient information. 128 properties have not been consulted in respect of the power lines. The Western Power legal team are aiming to get Compulsory Purchase powers so landowner consent is not required. Councillors have met and suggested underground lines but CCC have recommended O/H lines. Without permission/agreement for power lines there is no point in erecting the wind turbines.</i></p> <p>JG has produced a document regarding the Wind Farm, MH will circulate to members.</p> </li> <li> <p><b>Active Travel (AT)</b></p> <p>Still not clear which routes are proposed for AT. Llandeilo to Carmarthen route not eligible for AT due to population size.</p> </li> </ul>	<p><b>CF</b></p> <p><b>CF</b></p> <p><b>MH</b></p>

<p>DS informed group that Carmarthen Cycle Forum have met already re: AT. He will circulate anything pertinent that has come out of those meetings.</p> <p>MH asked CF to email Simon Charles to request mapping of proposed routes.</p>	<p><b>DS</b></p> <p><b>CF</b></p>
<p><b>Item 8 ROWIP Funding</b></p> <p>CF confirmed that the ROWIP funding offer letter was received on 19<sup>th</sup> April 2016, confirming an allocation of £54,607 to CCC for the 2016/17 financial year. CF also confirmed that this is the same allocation as last year.</p>	
<p><b>Item 9 Grant Improvement Works Programme 2015/16 – Report &amp; Future Plans.</b></p> <p>In the absence of AW, CF provided copies of spreadsheets (supplied by Countryside Operations unit) showing work programme information for 2015/16 financial year.</p> <p>KB queried the reduced number of bridleways shown as having been worked on during the period compared to previous years. Carmarthenshire Riders wish to commit a further £3,000 for 2016/17 but wish to know that a significant number of routes will be worked on.</p> <p>EP suggested a cost breakdown would be useful to identify how much was spent on the reduced number of routes last year compared to that spent on more routes in previous years – higher/lower cost per metre?</p> <p>KB felt statistics on just byways and bridleways would be helpful, has BOAT and BR money over last 3 years improved the situation?</p> <p>JG enquired how joint further joint working could be implemented.</p> <p>KB explained to JG and the group the process of how Carmarthenshire Riders work with COps to implement bridleway improvements.</p> <p>RL does not understand the prioritisation process behind COps works and formally requested that AW attend the next meeting to provide an explanation.</p> <p>CF was unable to answer detailed questions regarding COps responsibilities.</p>	<p><b>AW</b></p> <p><b>AW</b></p> <p><b>AW</b></p> <p><b>AW</b></p>
<p><b>Item 10 BBNP Delegation Agreement</b></p> <p>CF reported that she and a member of the COps unit had met with BBNP to discuss the termination of the current delegation agreement with the National Park and the proposal to produce a revised agreement purely in relation to maintenance of the network, all legal work to be handed back to CCC.</p> <p>KB stated that she would like to see maintenance handed back to CCC as well due to problems she/Carms Riders has experienced in certain areas of the Park.</p> <p>CF cited expenditure figures supplied by BBNP showing actual spend per annum versus the £2000.00 CCC allocate to them presently...</p>	

<ul style="list-style-type: none"> <li>• 2014/15 - £7272.35 labour and materials only</li> <li>• 2015/16 - £5625.82 labour and materials only</li> </ul> <p>....when overheads are added to these figures they reach between £16,000 and £22,000 per annum.</p> <p>CF confirmed that COps have stated they could not match this spend if maintenance was handed back.</p> <p>KB surprised by BBNP figures</p> <p>DS supported the work of the BBNP</p> <p>CF will keep LAF up to date with re-negotiations.</p> <p>MH suggested that the LAF should comment on the proposals.</p>	<p><b>CF</b></p> <p><b>MH/KB</b></p>
<p><b>Item 11 CCC Countryside Access Team</b></p> <p>CF provided an outline of the current Countryside Access unit structure and the immediate hierarchy. Details of vacant posts were shown and the agreed division of areas and workload in the absence of 3 staff members was explained.</p> <p>MH &amp; RL requested that the same be provided by COps and that updates on Countryside Access appointments also be provided.</p> <p>CF explained that COps were unable to provide a definite structure at present as a proposed new structure had been issued earlier that day and was subject to consultation, possible amendments and final approval before it could be presented to outside parties. CF suggested it may be available by the next LAF meeting.</p>	<p><b>AW/CF</b></p> <p><b>AW</b></p>
<p><b>Item 12 Definitive Map/Legal Orders 2015/16</b></p> <p>CF provided a table of Orders completed 2015/16 and Orders outstanding to date. Group were also notified of the prioritisation policy that was recently agreed and is proposed to be implemented through June 2016 to all outstanding Orders.</p> <p>MH queried the apparent increase in numbers compared to previous reports</p> <p>CF explained that previous documents perhaps only reflected formal applications rather than all pending Orders, previous documents were produced by Jon Tudor and she had not seen them so could not be sure. Actual numbers have increased slightly due to a fairly continuous flow of applications versus reduced staff numbers processing them.</p> <p>Group agreed it would be useful for regular updates on Orders progress.</p> <p>CF agreed to provide a table at each LAF meeting.</p>	<p><b>CF</b></p>

<p><b>Item 13 Improving Opportunities to Access the Outdoors Green Paper – Summary of responses received by Welsh Government</b></p> <p>MH received a response to his request to Welsh Government for further statistics and breakdown of responses received to the Green Paper consultation. Only 600 responses were quantified so position has not really been clarified – over 6000 responses not accounted for.</p> <p>DS believed that CTC members used a standard template.</p> <p>MH felt it would be useful to see the template</p> <p>KB suggested asking CTC directly for their template response.</p>	<p><b>MH/KB</b></p>
<p><b>Item 14 LAF Annual Report</b></p> <p>CF still awaiting translation of report before it can be published on the website, translation unit have been chased up.</p>	<p><b>CF</b></p>
<p><b>Item 15 Heart of Wales Line Walking Trail Proposal</b></p> <p>MH provided a brief outline of the proposal</p> <p>CF handed out the Walking Trail brief provided by consultants for those who hadn't seen it. CF and member of COps meeting with the consultants 19/05/16 so will be able to provide more information at next LAF meeting.</p>	<p><b>CF</b></p>
<p><b>Item 16 AOB</b> (moved from item 17 on agenda)</p> <ul style="list-style-type: none"> <li>• DS would like a copy of the LAF Handbook</li> <li>• MH made an enquiry to CF before meeting regarding how many bridges Carmarthenshire has logged for replacement/repair – enquiry as a result of closure of a footbridge in Cynghordy.</li> </ul> <p>CF produced a bridges report showing number of bridge structures recorded in the County (528) and number reported as in need of repair/replacement (129). CF pointed out that the figures were only representative as not all structures on the network were recorded and not all missing/damaged structures were logged.</p> <p><i>To illustrate point - CCC vs BBNP figures on bridges; CCC have 15 bridges recorded in the National Park, BBNP have 44 (and counting).</i></p> <p>KB mentioned the 2016/17 bridges budget that COps have.</p> <p>CF confirmed the additional bridges budget for this year but notified the group of the new requirement for all bridges over 3m in span to be inspected and costed by specialist bridge engineers. The result of this is a significant cost increase in implementing any works on the larger bridge structures on the network. This means fewer bridges will be completed with the additional money than was originally projected.</p> <ul style="list-style-type: none"> <li>• RL emailed Jon Tudor following Feb LAF meeting querying why i-local is not definitive.</li> </ul>	

<p>Jon Tudor had replied to RL on his i-local query via email.</p> <p>RL outlined Jon’s response – digital mapping used for the i-local system is sourced from CCC internal mapping system (CAMS). The definitive Map and Statement are the only recognised definitive legal record.</p> <p>CF added that CAMS is kept up to date in line with the def map and statement however updating i-local from CAMS is a manual and time consuming process so inevitably the i-local version cannot be kept as up to date and cannot be considered definitive.</p> <ul style="list-style-type: none"> <li>• RL email also suggested that the May meeting could include an update in respect of the figure for unresolved issues provided in the Feb meeting by COps and to perhaps provide a comparison to figures from previous years.</li> </ul> <p>CF provided an up to date report of unresolved issues separated into ‘Maintenance’ and ‘Legal’. Report included new issues reported as well as issues resolved between 12/02/16 and 12/05/16.</p> <p>Group discussed report content and queried some of the CAMS terminology, CF provided explanation where needed.</p> <p>RL queried meaning of ‘CAMS’ under legal issues – CF to check</p> <p>RL suggested ongoing data would be more useful on a 6 monthly and/or yearly basis. Added that data going back 3 years would be helpful in evaluating the progress being made by the unit and could help support any request for an increase in budget.</p> <p>CF agreed annual reports could be produced and that a 6 monthly update could be provided at the next meeting but that 3 year data would be inaccurate as CAMS was not being used as comprehensively in previous years – available data would be poor.</p> <p>MH suggested that use of ongoing data supplied would be good to use in the LAF annual report; group agreed.</p>	<p>CF</p> <p>CF</p> <p>CF</p> <p>MH</p>
<p><b>Item 17 Future Agenda Items</b> (moved from item 16 on agenda)</p> <ul style="list-style-type: none"> <li>• <b>Staff Structures</b> – RL would like update on appointments to Countryside Access unit and sight of the COps structure.</li> <li>• <b>Countryside Operations</b> – AW to present full report of works and funding, will be asked to provide interim report in the meantime.</li> <li>• <b>Improving Opportunities to Access the Outdoors Green Paper</b> – Update and discussion.</li> <li>• <b>Road Safety Campaign</b> – KB initiative supported by BHS</li> <li>• <b>BBNP Delegation Agreement</b> – CF updates will be required</li> <li>• <b>Cambrian Way</b> – GW suggested improved way marking of Cambrian Way needed, querying how best to achieve it.</li> </ul>	

<ul style="list-style-type: none"> <li>• <b>Use of Volunteers/Work Parties</b> – GW, will CCC use?</li> <li>• <b>Brechfa Wind Farm</b> – quarterly update and discussion</li> <li>• <b>Heart of Wales Line Walking Trail</b> – Update and discussion.</li> <li>• <b>Bridges</b> – KB suggested discussion of use of volunteers to survey bridges on the network.</li> <li>• <b>2017 LAF Meetings</b> – plan dates/venue(s).</li> </ul>					
<p><b>Item 18 Dates of Future Meetings</b></p> <p>Dates for future meetings had been confirmed and distributed and are available on the Council Web Site:</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> <table data-bbox="159 761 1197 1030"> <tr> <td data-bbox="159 761 558 851">Thursday 22nd September - 6pm</td> <td data-bbox="590 761 1197 851">Carmarthen Leisure Centre Activity Room, 1st Floor, Llansteffan Road, Carmarthen SA31 3NQ</td> </tr> <tr> <td data-bbox="159 918 558 1008">Thursday 8th December - 6pm</td> <td data-bbox="590 918 1197 1008">Carmarthen Leisure Centre Conference Room, 1st Floor, Llansteffan Road, Carmarthen SA31 3NQ</td> </tr> </table>	Thursday 22nd September - 6pm	Carmarthen Leisure Centre Activity Room, 1st Floor, Llansteffan Road, Carmarthen SA31 3NQ	Thursday 8th December - 6pm	Carmarthen Leisure Centre Conference Room, 1st Floor, Llansteffan Road, Carmarthen SA31 3NQ	
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