

VALE OF GLAMORGAN LOCAL ACCESS FORUM

Minutes of a meeting held on 25th May, 2016.

Present: Councillor E. Williams (Chairman); Mr. R. Traherne (Vice-Chairman); Mr. F. Coleman, Ms. C. Lucas, Mr. S. McMillan, Ms. E. Nash, Mr. R. Pittard, Mr. R. Simpson and Mr. G. Thomas.

Mr. J. Wyatt, Mr. S. Pickering, Mr. G. Teague, Mrs. S. Thomas (Vale of Glamorgan Council) and Ms. M. Miyata-Lee (Natural Resources Wales).

1. Apologies for Absence –

These were received from Ms. A. Haden and Mr. J.J. Herbert and Mr. B. Guy.

2. Minutes –

AGREED – T H A T the minutes of the meeting held on 24th February, 2016 be approved as a correct record.

3. “Improving Opportunities to Access the Outdoors for Responsible Recreation”:
Summary of Consultation Responses –

The consultation on Improving Opportunities to Access the Outdoors for Responsible recreation consultation ran from 10th July, 2015 to 2nd October, 2015. The consultation examined the current legislative framework for access to the outdoors for recreation in Wales and explored options for change. The paper drew from the evidence gathered during the earlier review (2014) and encouraged discussion on a sliding scale of potential options, including:

- ◆ Reform procedures – making improvements to the administration of current access legislation;
- ◆ Remove restrictions – removing some of the restrictions on the range of activities that can take place on rights of way and access land;
- ◆ Revise access – extending the definition of access land to include other areas; and
- ◆ New rights and responsibilities – implementing an entirely new access settlement, which allows much greater use of land for responsible recreation.

These were not fixed proposals and were to be considered as illustrative of the types of changes that could be implemented.

No decisions had been made on whether any changes should be taken forward. The key aim of the consultation was to gather information and views from people about how potential improvements to the legislative system could impact future demand for outdoor recreation; and their potential impact on land and water concerns, including existing users, land managers and the natural environment.

Fourteen questions covered a range of issues, including access to land, water and the coast.

The consultation responses provided a wealth of information about the types of recreational activities occurring across Wales (and beyond). They also provided an insight into the challenges sometimes faced by land managers, farmers and other commercial interests. The consultation generated strong and sometimes polarised views about the current system of access to the outdoors and of how this might be improved.

There were 5,796 responses to the consultation, including 22 responses to the youth version issued simultaneously. 165 of these responses arrived after the closing date but the comments have been taken into account.

The Forum received a written summary of the views received using the Welsh Government's response template and the non-template electronic and hard copy responses. Responses received to the youth version of the consultation and using templates issued by outside organisations were included separately in the report to the Forum.

Referring to reference on page 3 to the possibility of introducing fixed penalties and / or the inclusion of Public Rights of Way in cross-compliance measures for farm subsidies, Mr. Traherne considered it would concentrate farmers' minds if such penalties existed. Mr. Teague responded that such a provision was already in place in England. However, the consultation exercise had suggested that, as far as Wales was concerned, Definitive Maps were not sufficiently up to date to facilitate the introduction of such a provision. Mr. Traherne felt there to be a "lack of joined up government" on the part of the Welsh Government in this respect.

Mr. Coleman asked for an indication as to the timescale which would apply in relation to the overall exercise. Mr. Teague suggested it was currently open to interpretation and it was likely that the Welsh Government's legislative programme following the recent elections would be the determining factor. Mr. Pittard referred to recent guidance issued by Natural Resources Wales, albeit there was no guarantee that this would be cleared by the Minister. Mr. Teague also alluded to the existence of draft ROWIP guidance.

There was a general acceptance amongst Forum Members that progress should be made in terms of the above and to facilitating the relevant legislation to update PROW legislation.

AGREED – T H A T Cabinet be requested to agree that the relevant Cabinet Member write to the Minister urging progress on this matter, including giving priority to the updating of Public Rights of Way legislation.

4. Natural Resources Wales: Local Access Forums: Work Plans 2016/17 –

The following matters which Natural Resources Wales and Welsh Government

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anticipated they would refer to Local Access Forums during the year were submitted to the Forum for information. The document was for guidance only and might change to reflect work priorities and should not be taken as definitive.

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	Referred by	Approx Timing	Nature of Referral	Which LAFs?
1. Glastir Advanced	WG	Ongoing	Review and update proposals to proposed permissive access maps (including access to woodlands). In addition, support Glastir Contract Managers in considering individual permissive access proposals.	All
2. ROWIP Monitoring Implementation	NRW	Ongoing	Work with Local Authorities to support and monitor the implementation of the provisions of ROWIPs.	All
3. Review of ROWIP	WG / NRW	2016/17 - 2017/18	Support Local Authorities with the review of their ROWIPs with a view to imputing into the updated plans.	All
4. Wales Coast Path	NRW	Ongoing	Work with coastal Local Authorities and the two national parks (SNP and PCNP) to further develop, enhance and promote the WCP.	Those with coastal areas
5. Access to water	WG/NRW	Ongoing	Take an active interest in promoting access to water. It would be helpful if LAF considered potential areas for new or improved access to water (lakes rivers and the coast) and identified any obvious barriers that could be resolved.	All

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	Referred by	Approx Timing	Nature of Referral	Which LAFs?
6. Countryside Code Campaign	NRW	Ongoing	NRW is now reviewing its guidance for trail users (the old forest user codes), with a mind to update them into a new set of codes for visitors to NRW owned and managed land. The LAFs' involvement in the consultation on these codes would be gratefully received.	
7. Wales Outdoor Recreation Survey	NRW	Ongoing	LAFs to consider the results from the Wales Outdoor Recreation Survey Results to inform their advice http://naturalresources.wales/our-evidence-and-reports/welsh-outdoor-recreation-survey/?lang=en	
Suggested other areas of work for LAFs to get involved with which aren't directly managed by WG and NRW				
8. Green Flag/Green Flag Community Award	WG	Ongoing	Suggest public green spaces managed by local authorities, corporate organisations and community groups that could be eligible for this award which recognises and publicises the best parks and recreational areas in the country. http://www.keepwalestidy.org/greenflag	All

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Mr. Wyatt alluded to No. 6 in the above Work Plan. He informed the Forum that an e-mail had recently been received from Natural Resources Wales, providing the opportunity to complete an online consultation survey. He would circulate this to members of the Forum in order to allow them to complete the survey should they wish to do so.

Mr. Pittard understood that the revised draft Code encouraged dog owners to be more responsible. He alluded to certain of the suggestions having been followed up in Bridgend / Merthyr Mawr. Mr. Teague confirmed he was aware of guidance on Dogs in the Countryside, but was unaware of any “research” undertaken.

Referring to Item 1 – Glastir Advanced – Mr. Traherne asked whether Mr. Teague was aware of any farmers in the Vale of Glamorgan taking advantage of the scheme. Mr. Teague responded he was not aware of such, but commented that it was not particularly easy to extract information to ascertain the position.

Mr. Coleman asked whether Item 7 above – Wales Outdoor Recreation Survey – was covered within Agenda Item 3. Mr. Teague confirmed that it was, in fact, a separate document.

5. Best Value Performance Indicators Survey Report –

The 2015/16 annual performance indicator survey had been undertaken by volunteers from the LAF providing an invaluable level of consistency. To date, five of the seven returns for the 2016-17 spring survey have been returned.

The format of the survey followed Best Value Performance Indicator No. 178 (April 2001) methodology, which was produced by the County Surveyors’ Society, in conjunction with the Countryside Agency and the Institute of Public Rights of Way Officers.

10.2% (58.2 kms) of the PROW network was surveyed, the paths surveyed having been chosen by random selection, with 5% surveyed in the Spring and 5% in the Autumn.

The survey provided results for two indicators:

- the percentage of paths Easy to Use
- the percentage of paths Signposted from the Road.

The graphs in Appendix 1 to the report provided an overview of survey results since 1997/98. The opportunity to feed the results into a national database was no longer available ; hence the All Wales figures were no longer inserted into the graphs. Responding to a question from Mr. Coleman, Mr. Teague indicated that the database of national figures had been discontinued as part of an overall reduction in the number of Relevant Performance Indicators monitored by Local

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Authorities. He alluded to some Local Authorities as using different “measurements” (e.g. customer satisfaction surveys).

Mr. Coleman felt that, as resources continued to reduce, there may eventually be a need to simply concentrate on the most-used / popular routes. Ms. Nash pointed out that this could result in users being discouraged from using other paths due to lack of maintenance.

Mr. McMillan, referring to the correlation to the survey work and the PROW team’s maintenance programme / priorities, suggested that there was possibly a case for the survey programme being based around those routes which featured higher (as opposed to lower) in the list. Ms. Nash asked whether there was a system in place whereby the level of public concern expressed affected the placing of a route in the list. Mr. Teague confirmed that this was the case (with the criteria agreed by the former Forum).

During the discussion, reference was made to the fact that it would be helpful if those involved in the survey were provided with further training / guidance to assist in their work.

Having reviewed the full survey returns, the Spring figures had been adjusted from that reported to the LAF in September 2015 following recognition of a data entry error.

The detail from all survey returns was added to the CAMS maintenance database.

AGREED –

(1) T H A T Members of the Forum be “signposted” to a list of online reference sources.

(2) T H A T a briefing session be included on a future meeting, designed to further assist Members involved in the survey work.

Mr. Traherne asked for an indication of the percentage of paths that “lead nowhere”. Mr. Teague indicated there was a small proportion of such paths, but a more sizeable proportion which would be classed as little used and, consequently, where maintenance would be deemed to be not effective. Approximately 30% of routes were “promoted”. A similar percentage applied to those which were well used, but not as heavily. The remainder would fall into the category of inaccessible or infrequently used routes.

6. Coastal Access Improvement Programme: Background and Update –

The Coastal Access Improvement Programme (CAIP) was a scheme funded by the Welsh Government via Natural Resources Wales and delivered through Local Authorities.

Since the Wales Coast Path officially opened on 5th May, 2012 the scheme,

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which initially ran from 2007-2013, had continued to fund the development and improvement of the route. Following completion of the initial project further funding was made available; this ran from 2013-2015.

The current programme was initiated by a Ministerial announcement that committed £900,000 worth of funding per annum for the next five years to the path. The current scheme differed from previous inasmuch as funding was divided between improvements and maintenance, to reflect the maturing nature of the Coast Path.

The Coastal Access Improvement Programme Grant would comprise two parts.

Improvement projects had been identified to NRW and the following had been approved in principle at 100% grant:

Code	Location	Details
VG1601	Dimhole	Path close to edge requires cutting back into cliff and provision of level surface as it ascends from cwm.
<u>VG1602</u>	Monknash	Repair and improvement of path near culvert following storm damage
VG1501	Ogmore Down	Conclude outstanding creation agreement on path, formalising new alignment that avoids needs for road walking
<u>VG1502</u>	Traeth Mawr	Missing link currently available on permissive basis only. Previously submitted as creation order, landowner has indicated willingness to revert to agreement
VG1505	Cwm Colhuw West	Improve surface by addition of loose stone (type 1).
<u>VG1507</u>	Gileston	Creation of missing link. Previously submitted as creation order, landowner has indicated willingness to revert to agreement
VG1517	Sully Playing Fields	Clearance of vegetation and provision of surface
Totals		

In addition an allocation for coast path maintenance via grant and at 75% grant rate had been advised. In the Vale for 2015-16 this amounted to £19,230 of grant to be matched by £6,410. It was anticipated that this would be issued each year over the life of the programme:

Code	Description	Details
Maint	Maintenance Projects on VoG WCP	Vegetation cut back, maintenance of furniture and surfaces
Totals		
<p>The Coastal Access Improvement Programme project 'Dimhole' comprised the largest infrastructure improvement proposed for 2016-17.</p> <p>Included with the report were the plans of the work which the Council would invite the LAF's comments on.</p>		
<p>7. <u>Maintenance Reports</u> –</p> <p>The Forum was provided with an update in relation to maintenance work carried out across the Vale of Glamorgan from March 2011 to March 2016. The report also detailed the maintenance issues that had been logged and received from March 2016 to May 2016.</p> <p>Referring to Unresolved Issues, Mr. Traherne presumed there to be a limited resource in place to address such matters. Mr. Teague confirmed that there was one maintenance post.</p> <p>Mr. Pickering confirmed that the Countryside Team was now looking at the issues in a more effective way. He pointed out that, on occasions, problems originally reported no longer existed / applied when they were inspected. Mr. Teague alluded to the fact that many "historical" issues were still included within the statistics. He concurred with Mr. Pickering that the new process for developing Work Programmes for Countryside Teams seemed to be working well.</p>		
<p>8. <u>Legal Orders and Evidential Modification Orders Update</u> –</p> <p>The Forum was presented with an update on the Legal Orders and Evidential Modification Orders across the Vale of Glamorgan.</p> <p>Responding to a question raised as to whether any delays in the process regarding Orders occurred due to the Legal Services provision in the Council, Mr. Teague, whilst aware of difficulties in other Local Authorities, considered that, comparatively, the process in the Vale of Glamorgan was an effective one.</p>		
<p>9. <u>Rights of Way Improvement Programme (ROWIP) Funding Programme Background and Update</u> –</p> <p>The project comprised a number of programme actions aiming to assist in the delivery of ROWIP Objectives. This year four actions were proposed:</p>		

Ref	Location	Brief Details of Programme Action
VG1	Summerhouse Point	Dedication of rights at Summerhouse
VG2	Countywide	Adopt a path co-ordination of works
VG3	Countywide	Definitive Map anomalies – resolve long standing issues by order
VG4	30 km of priority routes	Vegetation clearance

VG1 provided for the dedication of public footpath rights along a track between Boverton Mill and Summerhouse Point. The grant allocation reflected anticipated compensation figures in addition to legal costs. The Public Rights of Way Sub-Committee had resolved to make an Order, one objection had been received, but this had subsequently been withdrawn.

VG2 would support the co-ordination and resolution of maintenance issues on promoted routes that are part of the Adopt a Path Scheme.

VG3 would begin to address long standing issues identified during the quality assurance of the Definitive Map process. This was likely to be through a mix of orders, negotiations and / or enforcement where appropriate.

VG4 would support the annual clearance of inland routes.