

VALE OF GLAMORGAN LOCAL ACCESS FORUM

Minutes of a meeting held on 30th September, 2015.

(i) 5.30 p.m.

Present: Ms. A. Haden, Mr. J.J. Herbert, Ms. C. Lucas, Mr. H.S. McMillan, Mr. R. Pittard, Mr. R. Simpson, Mr. R. Traherne and Councillor E. Williams.

Mr. J. Wyatt (Chairman); Mr. B. Guy, Mr. S. Pickering, Mr. G. Teague and Mrs. S. Thomas (Vale of Glamorgan Council).

(a) Apologies for Absence -

These were received from Mr. F. Coleman and Ms. E. Nash.

(b) Welcome / Introduction from the Secretary -

Jeff Wyatt, as Secretary to the Forum, welcomed both new and returning Members to the first meeting of the newly appointed Forum. He explained that the Forum was required to be appointed every three years, the first Forum having been established in 2002. He also informed Members that Mr. Richard Simpson had indicated that, due to the fact that he was moving out of the area, he would not be taking up his place on the Forum.

(c) Introduction by Members -

Following a brief introduction from the officers present, Members of the Forum outlined their particular fields of interest and expertise, most having submitted a short synopsis for inclusion in the papers sent out prior to the meeting.

(d) Rights of Way Team: Outline of Service Areas -

Gwyn Teague provided a brief outline of the work of the Rights of Way Team, structured under the following headings:

Background

The Vale of Glamorgan was a diverse county, including a lengthy shoreline, good agricultural land and urban centres. There were approximately 581 kilometres (km) of public rights of way (PROW) in the Vale of Glamorgan. The network included:

520 km of footpaths
38 km of bridleways
23 km of restricted byways

Maintenance

The Council undertook work to ensure the surfaces of public rights of way were kept in repair to a standard suitable for ordinary use. This most often included cutting overgrowth where paths become overgrown or repairing the surface of paths where required. Each year, a number of paths that were known to be problematic were targeted proactively for cutting at the beginning and end of the summer.

The Council, often assisted by volunteers and partner organisations such as Valeways, also undertook work to replace dilapidated structures on behalf of landowners. This helped ensure stiles, gates etc. remained in a fit state for use.

Additional practical works such as way marking, installation of signage or management of condition surveys were also carried out by the team.

Enforcement

The Council was required to assert and protect the rights of the public to use paths. As such, a number of enforcement duties existed to remove obstructions, hazards or to take action where certain types of unlawful activity occurred. Responding to an enforcement issue involved investigation of the problem, determining parties involved, establishing contact and developing an appropriate response (typically negotiation, informal warning, service of notice or prosecution)

Definitive Map and Statement

The existence and location of Public Rights of Way were legally recorded on the Definitive Map and Statement. The Council maintained these documents continuously by processing orders where legal events giving rise to changes occurred or by investigating cases where it was claimed routes should be shown or not shown. The Council was also working towards consolidation (re-publication) of its Definitive Map.

Definitive Map work could involve, amongst other things, administration, quality assurance of data, historic research, collection and analysis of evidence, presentation of cases, referral and representation at public inquiry.

Public Path Orders

Legal Orders might be made to alter the public rights of way network due to necessity or a particular interest (e.g. due to development, public or private interest). The Council was able to process such applications in order to give effect to the application or otherwise test it against the necessary legal criteria. Legal Orders could involve administration, negotiation, analysis of applications, referral and representation at public inquiry.

Improvement

A significant amount of funding of Public Rights of Way work was provided through grant assistance. The Public Rights of Way Team was therefore involved in generating and delivering access improvement projects as well as administering associated grant funding. Ms. Haden asked whether grant funding was generally channelled through charitable organisations or the Council. Gwyn Teague stated that it varied. Some would come to the Council, some to recipients (e.g. Coastal Access Improvement Programme (CAIP)). Periodically, specific grants (such as the Rural Development Grant) would be accessed.

Information

The Public Rights of Way Team worked with, and supported, numerous stakeholder groups, including user groups, partner organisations and community footpath forums. Promotion of the network through attendance at events or publication of leaflets was also undertaken by the team.

Performance indicator and network management information was also collected and analysed.

(e) Procedure for Claiming Expenses -

Regulation 11 of the Countryside Access (Local Access Forums) (Wales) Regulations 2001 required the Appointing Authority to defray reasonable expenses incurred by the Forum in discharging its functions. Generally, such expenses largely related to travelling to and from meetings. Claim forms were available from the Secretary..

The previous Forum proposed that a rate of 40p per mile be paid to Members of the Forum claiming for travel to and from meetings. It was proposed that this arrangement continue. Members were asked to submit any claims within 12 months of incurring the same.

AGREED – T H A T the payment of a mileage rate of 40p per mile to Members be continued and that Members individually notify the Creditors Team in writing with the required details.

(f) Procedure for Appointment of Chairman and Deputy Chairman -

The procedure to be followed for the appointment of the Chairman and the Deputy Chairman of the Forum was set out in Regulation 12 of the Countryside Access (Local Access Forums) (Wales) Regulations 2001. Accordingly, the appointment process would be conducted by secret ballot as the first item of business at the second meeting of the Forum later in the evening.

AGREED – T H A T nominations for, and the appointment of, the Chairman and Deputy Chairman of the Forum be dealt with as the first item of business at the next meeting.

(g) Welsh Government Consultation Document: 'Improving Opportunities to Access the Outdoors for Responsible Recreation' -

Jeff Wyatt reminded Members that the second meeting of the Forum (which would commence with the appointment of Chairman and Deputy Chairman) was not scheduled to begin until 6.30 p.m. However, with the agreement of Members and having explained the position to the two members of the public present, it was agreed that Gwyn Teague would utilise the time prior to the start of the meeting to give his presentation on the Consultation Document. Jeff Wyatt further explained that, in the event of any additional members of the public arriving prior to the start of the second meeting, the presentation would be repeated during the second meeting.

(ii) 6.30 p.m.

Present: Ms. A. Haden, Mr. J.J. Herbert, Ms. C. Lucas, Mr. H.S. McMillan, Mr. R. Pittard, Mr. R. Simpson, Mr. G. Thomas, Mr. R. Traherne and Councillor E. Williams.

Mr. J. Wyatt (Chairman); Mr. B. Guy, Mr. S. Pickering, Mr. G. Teague and Mrs. S. Thomas (Vale of Glamorgan Council).

(a) Appointment of Chairman -

Two nominations were received for the position of Chairman, Councillor E. Williams and Mr. R. Traherne. A ballot having been conducted as required under the relevant Regulations, it was

AGREED - T H A T Councillor E. Williams be appointed Chairman of the Vale of Glamorgan Local Access Forum to 29th September, 2018 or such lesser period as the Forum might subsequently determine.

At this point, Councillor E. Williams took the Chair.

(b) Appointment of Deputy Chairman -

Two nominations for the position of Deputy Chairman were moved and seconded, Mr. R. Traherne and Mr. R. Pittard. A ballot having been conducted as required under the relevant Regulations, it was

AGREED - T H A T Mr. R. Traherne be appointed Deputy Chairman of the Vale of Glamorgan Local Access Forum to 29th September, 2018 or such lesser period as the Forum might subsequently determine.

(c) Minutes -

AGREED - T H A T the minutes of the meeting held on 17th February, 2015 be approved as a correct record.

(d) Terms of Reference -

Members were asked to consider the current Terms of Reference as adopted by the previous Forum. Those Terms of Reference had been based on the Model contained within the Advice and Best Practice published by the former Countryside Council for Wales and the Welsh Government and had been revised over the years to reflect changing circumstances.

During this item, it was also agreed that the new Coast Path Officer for the region be invited to attend future meetings (although it was acknowledged that the size of the area for which they would be responsible might mean their attendance would not always be possible.

AGREED - T H A T, subject to reference to the former Countryside Council for Wales being amended to read "Natural Resources Wales", the Terms of Reference as set out in the report be adopted.

(e) Arrangements for Future Meetings -

Jeff Wyatt explained that the previous Forum had held its meetings on Wednesdays, commencing at 5.30 p.m. and, ideally, lasting no more than two hours.

Having considered the matter, it was

AGREED - T H A T the next meeting of the Forum be held towards the end of November, 2015 and subsequent meetings be held approximately quarterly on the same basis as the previous Forum.

(f) Rights of Way Improvement Plan (ROWIP) Background and Update -

The Countryside and Rights of Way Act 2000 required local authorities to produce Rights of Way Improvement Plans (ROWIPs). These were intended to provide prioritised plans for the improvement of the local rights of way network for all users – walkers, cyclists, horse riders, off-road users, as well as people with sight and mobility problems. When introduced, the Plans were intended to cover a 10 year period.

The Vale of Glamorgan's ROWIP was published in November 2007. The vision for the plan was agreed by LAF and Council to be:

"To provide, maintain and improve the network of Public Rights of Way and countryside access for everyone AND to enable and encourage increasingly convenient and responsible use and enjoyment of the Vale's countryside and coast".

Work identified within the Plan was identified according to three broad areas (management, stakeholders and information/communication) and by reference to the following principles:

1. Access for All
2. Management Strategy
3. Sustainable Improvements
4. Better Information
5. Improved Network of Routes
6. Wider Context

In order to implement the Plans, the Welsh Government allocated funding to support them under a programme initially agreed to run for 3 years until 2010-11. This had, thus far, been extended annually since the initial period. The money was delivered to Local Authorities in the form of a grant administered by Natural Resources Wales.

A total award of £31,136 had been granted for the current financial year.

The following projects were included within the 2015-16 ROWIP funding programme:

Code	Location	Details	Update
VG1	Entire Network	Preparation of new Definitive Map, analysis and reporting of CAMS data	CAMS reporting, maintenance and analysis of data continuing
VG2	Summerhouse Point	Dedication of rights at Summerhouse	Pre-order consultation complete. Awaiting legal advice on the extent of Highways Act Section 28 (compensation provision).
VG3	Countywide/millennium heritage trail	Way Marking	Additional stock waymarks received. Millennium Heritage Trail waymarks to be installed via Valeways also received.
VG4	Cowbridge	Dedication of legal rights for Penllyn Bridleways	Dedication and way making of scheme as required by legal agreement condition complete.
VG5	Peterston Super Ely	Drainage scheme at Peterston-Super-Ely	Scheme complete

Mr. Herbert asked for clarification with regard to VG1 (i.e. in terms of what the funding was largely used for). Gwyn Teague indicated that this was largely to fund the salary of the officer concerned. He confirmed that most of the Quality Assurance work involved had now been completed and that the officer was concentrating on

Definitive Map Modification Orders.

With regard to VG5, Mr. Traherne confirmed that, whilst residents were very pleased with the work, there were still some concerns regarding the quite wet conditions which could prevail at the St. Georges / St. Brides end of the scheme. Gwyn Teague confirmed that the area concerned had originally been very wet, but that he would look into the matter.

Ms. Haden declared an interest in VG2, given her partner owned an area of land in the vicinity.

(g) 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, 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 previously, in so much as funding was divided between improvements and maintenance, to reflect the maturing nature of the Coast Path.

Improvement projects were offered at 100% grant funding. The number of projects approved was reduced in the new tranche of the programme. Those receiving funding are shown below:

Code	Description	Details	Update
VG101	Ogmore Down -Creation Agreement	Conclude outstanding creation agreement on path, formalising new alignment that avoids needs for road walking	Creation to be drafted on basis of previous agreement
VG104	Monknash - Creation Order	Missing link currently available on permissive basis only. To be progressed by Creation Order, anticipated landowner objection	Initial case meeting completed
VG106	Nash Realignment	Rollback of path to mitigate cliff undercutting	Initial case meeting completed
VG107	Tresillian Rollbacks	Formalisation of rollback following coastal erosion during 14-15	Initial case meeting completed
VG109	Cwm Colhuw (west) - Surface Improvements	Improve surface by addition of loose stone (type 1).	Specification being developed
VG111	Summerhouse rollbacks	legal orders to formalise cliff top rollback	Initial case meeting completed

VG112	Gileston - Creation Order	Creation order to fill in missing section of coast path on improved alignment.	Order complete, works part complete, outstanding work has been programmed
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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	Update
Maint	Maintenance Projects on VoG WCP	Vegetation cut back, maintenance of furniture and surfaces	Vegetation cut backs in progress

Gwyn Teague confirmed that, following a successful pilot within the region comprising the Vale of Glamorgan, Cardiff, Newport and Monmouthshire Councils in relation to sharing a Regional Coast Path Officer, the approach was now to be rolled out across the Welsh regions. He considered that, given the size of the areas for which each officer would be responsible, they would be quite "stretched" in terms of workload. Mr. Pittard understood that some funding was potentially being kept back to deal with emergencies in the event of rock falls / erosion. Gwyn Teague was unsure as to whether this was the case, but he did understand that there might be a Welsh Government underspend which, in turn, might be capable of being accessed. Mr. Traherne also questioned whether there would be sufficient money to effectively undertake work across the regions. Gwyn Teague indicated that, in overall terms, funding had reduced. However, the Vale of Glamorgan would be receiving the second largest sum of all the seven Authorities in the South East region. Bob Guy confirmed that most of the path had, in fact, historically been funded from the Rights of Way budget.

(h) Best Value Performance Indicators Survey Report -

LAF members became involved in the annual performance indicator survey in 2006/07; a number of LAF members had undertaken the surveying for many years, with training provided by Mr. McMillan and Mr. Herbert. This had provided a consistency to the returns, which was invaluable.

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. Each year, 10% of the PROW network was surveyed, with the paths surveyed 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 signposted from the road
- the percentage of paths easy to use.

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The Autumn 5% survey would be undertaken in October. The Spring results were:

- the percentage of paths signposted from the road – 76%
- the percentage of paths easy to use – 74%.

A secondary, but very important, part of the survey process was the feeding of the detail provided by the surveyors onto the maintenance database.

(i) Maintenance Reports -

The report showed the number of issues reported and resolved between the months of January to September 2015. (Members were asked to note that the September figure would not contain the full data, due to the report being compiled mid-way through the month. The data in these reports would fluctuate due to different circumstances throughout the period shown. This might be due to staff changes, contracts, the additional reporting of issues due to Performance Indicator Returns in April and annual leave.

There were six categories that issues were placed into - Clearance, Enforcement, Maintenance, Obstacle, Other and Signage.

Clearance - this Issue type involved the removal of overgrowth from vegetation or the removal of rubbish.

Enforcement - this involved more long term issues, as it dealt with the legal side of PROW. These issues included Diversion Orders where an Order is in place to move the path along a different route.

Maintenance - This was the main issue type dealt with. It involves maintaining, repairing or replacing the furniture along the paths if needed. The furniture included stiles, posts, kissing gates etc.

Obstacle – these were issues that blocked or made it difficult to cross a path. This could come in the form of rocks near cliffs, blocked gates or fallen trees.

Other - issues not normally categorised or requests for a site visit.

Signage – a category which covered way marking. This included replacing missing disks, replacing posts or pointing the way marker in the right direction.

Mr. Traherne asked for clarification regarding reference to 2,911 “Unresolved Issues”. Gwyn Teague indicated that the figure represented the total number of issues added. The actual current figure was approximately 700.

Steve Pickering referred to a recent staff restructuring. Park Rangers would now be working with the Public Rights of Way team. Consequently, it was anticipated that unresolved issues should begin to reduce rapidly.

Gwyn Teague referred to another potential reduction which would hopefully arise in

terms of roadside signposts. He had written to Town and Community Councils seeking confirmation of those which were considered to be no longer necessary. Subject to the agreement of the relevant Town / Community Council, a number of recorded issues of missing signposts could be removed.

Mr. Simpson asked for clarification regarding the term "Part Resolved". Gwyn Teague quoted examples which could include those works put out to contract, but where work had not yet been carried out. Alternatively, it could represent a longstanding scheme which had been "put on hold" to be delivered as part of a planned wider scheme.

(j) Modification and Legal Orders Update -

The Forum was updated on the Evidential Modification Order Tracking and the Legal Order Tracking chart.

(k) Welsh Government Consultation Document: 'Improving Opportunities to Access the Outdoors for Responsible Recreation' -

In addition to the Consultation Document itself, members received a copy of a draft response prepared on behalf of the Local Access Forums of Wales. In providing the draft response to individual LAFs, it had been made clear that it was designed to neither supersede, nor replace, any responses that individual LAFs might wish to make. In addition, Bob Guy also informed members that the Council would be submitting its own response. Given that part of the role of the LAF was to advise the Local Authority, he would circulate the draft version of the Council response the following day to members. It was acknowledged that the timetable for responding to the consultation was now extremely limited (i.e. with a closing date of 2nd October 2015).

The introduction to the Consultation Paper referred to it exploring issues around providing the right recreation opportunities in the right places. Its purpose was to explore the potential to develop contemporary legislation that would better affect current, and future, demand for outdoor recreation and provide a new regulatory framework which allowed sensible and responsible use of land and water for non-motorised recreation, with fit for purpose safeguards for land management, other activities and wildlife. It was not the intention of Welsh Government through the consultation to amend, or seek the amendment of, legislation relating to hunting, fishing and shooting. However, comments were welcomed on how those activities might be positively or negatively impacted by any potential changes that were within the scope of the consultation.

To inform the content of the consultation process, Welsh Government had commenced a review of the legislative framework for access and outdoor recreation. The initial pre-consultation period, which included three workshops, had allowed interested groups to state their views and had facilitated important discussions about the issues involved. The resulting Consultation Document was designed to capture and structure the wide range of evidence and opinion which had been presented during the process.

The Consultation Document indicated that there was no intention on the part of Welsh Government to introduce legislation on access in the current Assembly Term (2011-16). Ideas and comments were being sought on what might be done through legislative and non-legislative means. Views would inform priorities for the remainder of the current Assembly Term and the decisions of the future Welsh Government.

Given the limited time available to submit a response, reference was made to the possibility of seeking an extension to enable individual members to submit any additional comments following the meeting. Mr. Pittard asked whether the draft response of the Council was “tailored” to the Vale or represented a wider approach. Bob Guy considered the response to cover both aspects.

The Consultation Document contained 14 specific questions as follows (a summary of the discussion and the Forum’s comments / views is shown in italics:

Question 1: What are your views on the principles outlined above? If you would suggest changing them, please explain how and why.

During the initial discussion, Gwyn Teague referred to his view of the current legislation governing these matters as being “cumbersome”. There was a general consensus amongst Forum members as to the need for a clearer definition of the use of the word “responsible” (e.g. “responsible recreation” and “responsible use of land and water”).

Question 2: Tell us your views on the issues highlighted above, and whether there are other key challenges you believe need to be resolved?

A number of members concurred with Gwyn Teague’s view that the existing legislation was, indeed, cumbersome and in need of updating. Again, a number of members felt that officers should be given a greater “empowerment”, particularly given the length of time that existing processes often took. Other points raised included whether the need for Legal Orders could, in fact, be removed in certain circumstances (again, with the need for a more streamlined process in mind).

Question 3: What changes, if any, do you think need to be made to improve and simplify the procedures for recording, creating, diverting or closing public rights of way?

Ms. Haden asked for clarification as to the use of digitisation. Gwyn Teague explained that the legal version of the Definitive Map still had to be maintained in hard copy format. However, there was a general consensus that digitisation was an area that should be used more widely. A discussion ensued as to whether responsibility for serving of DMMO Application Notices should, in fact, be transferred to the Local Authority and should be able to be made in electronic form. There was a general consensus that Notices should be able to be issued electronically and that Local Authorities should have the responsibility of determining any objections received. In coming to this view, members noted that, currently, even if one single objection was received to an Order, the matter was referred to the Planning Inspectorate. Members were also in agreement that the Local Authority should also

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be able to take a view as to whether an objection could be regarded as “spurious” in nature. One further point made was that it would be advantageous, in certain cases, for an application to be transferred in the event of the original applicant having passed away. As far as diversions / extinguishments / creations were concerned, current processes could be quite complex and, for example, involve compensation provisions. Other issues could arise if, for example, grant funding was involved. Reference was made to the possibility of providing for a system of Draft Orders and Gwyn Teague indicated that this would concur with what the Council intended to say in its own response to the Consultation document. The Forum also expressed the view that diversions should be part of the planning permission process.

Question 4: What changes, if any, do you think need to be made to improve and simplify the provisions available to local authorities for making improvements on the ground?

Members raised no further issues beyond those which were to be included in the Council’s response.

Question 5: What non-legislative changes would you like to see in the meantime that you believe would help to improve the rights of way network in Wales and reduce the burden on local authorities?

It was agreed that the provision of additional guidance for landowners / walkers on the Council website (possibly including a link to the Natural Resources Wales information) would be advantageous. Members felt that PROW officers should have powers to serve Improvement Notices in order that many issues could be dealt with at that “local” level. The concept of Fixed Penalty Notices being issued in certain circumstances was also considered to be of merit so long as those Notices were issued having given landowners an opportunity to comply .

GT to clarify reference made at meeting to “last resort”.

Question 6: How should the number, role, membership, and purpose of local access forums be redefined?

Jeff Wyatt summarised the recruitment process which had been undertaken in respect of the reappointed Forum. He acknowledged that recruitment had shown similar issues to many organisations, in terms of attracting a range of diverse representation on the Group. As such, and acknowledging the difficulties that organisations sometimes faced in achieving such, the desirability of greater diversity of membership was acknowledged. Ms. Haden suggested that, if individuals were appointed through an organisation, they should be able to nominate a substitute to attend. However, the existing legislation provided that, although organisations were invited to contribute to the process, all current members were appointed as individuals. The possibility of direct approaches to certain sectors (e.g. the Black Minority Ethnic Community) was alluded to.

Question 7: How should the rights and responsibilities surrounding dogs in the countryside be harmonised to provide greater certainty over what is acceptable and what is not, in a way that makes communicating messages

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about responsible dog ownership and handling more straightforward?

Gwyn Teague advised that the Council intended to represent that making clear dogs should be kept on leads would reduce ambiguity in the current framework. Members represented that dog walkers should be responsible for appropriate disposal of the faeces of their animals.

Question 8: How could current legislation be changed to make it easier to allow for a wider range of activities on existing and new paths?

Gwyn Teague confirmed that the points raised by members were similar to those which would be covered in the Council's response to the Consultation Document.

Question 9: How could legislation better strike a balance between the various demands of motorised users, landowners and the natural environment?

Gwyn Teague confirmed that, within the Vale of Glamorgan, there did not tend to be a lot of issues arising between different users. Mr. McMillan pointed out that there was no special route for motorised vehicles. However, if there were to be so, he posed the question as to whether they should be limited to motorised vehicles only, given his view that certain mixed uses were not "conducive". Mr. Herbert felt that legislation had been designed to "wipe out" use of motorised vehicles in such areas, with the side effect of denying some people who were otherwise unable to go out, the opportunity to do so. Members reiterated their comments in respect of Question 1, in terms of the need for a clear definition of "responsible use".

Question 10: How should the need for new or improved access opportunities be identified, planned, and provided?

Members were informed that the Council's draft response included comments on coastal cliffs and recreational activities. Furthermore, the Council was generally in support of a review of the Rights of Way network.

Question 11: What are your views on the benefits and challenges of creating a right of responsible recreation to all land in Wales?

The Consultation document referred to practice elsewhere in Europe and in Scotland. Gwyn Teague posed the question of whether there should be a complete "rebuilding" of provisions in Wales. However, Mr. Pittard suggested that such a radical overhaul could be detrimental in terms of what currently existed. Mr. Traherne considered that most people walking within the countryside preferred to have a trail to follow. He also was of the view that if there was a completely open network, landowners would be unable to maintain it. Mr. McMillan concurred with the view that, even if open access existed, most people tended to keep to paths. Ms. Haden quoted her own experience of the system prevailing in Scotland (i.e. where footpaths are maintained, but people were able to go off the maintained areas) and had not encountered any particular issues with their approach. Reference was also made to the situation which would occur if people were injured on "open access" land. It was explained that, within the access land mapped under

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CROW, there was a reduced liability on landowners, where they had dedicated specific access land.

In considering the advantages of maintaining the “status quo” or moving to an option of open access, reference was made to the possibility of the latter, whilst at the same time retaining a core path network. Mr. Traherne explained that, if land was fenced, a problem would ensue in terms of landowners and that it would be easier if the existing system was changed as alluded to earlier (i.e. more “power” at local level in terms of Orders). He also suggested that it could lead to the overall resource for Rights of Way being reduced by Welsh Government.

In conclusion, the Chairman suggested that the consensus appeared to be that members wished to maintain a good network, but to make it easier to deal with issues at a “local” level. Members agreed with this concept and the majority view was to, in effect, maintain the “status quo” (as opposed to complete open access).

Question 12: What approach do you advocate to improve opportunities for responsible access for recreation on inland waters?

No specific comments / views to be submitted.

Question 13: What approach do you advocate to improve opportunities for responsible access for recreation on the coast and in the marine environment?

No specific comments / views to be submitted.

Question 14: What would be the advantages and disadvantages of a comprehensive statutory code of conduct for outdoor recreation in Wales?

Mr. Pittard indicated his preference for a Standard Code for the whole of Britain.

In concluding, Bob Guy considered there to be no major differences between the Council’s intended response to the Consultation document and that of the LAF, with the exception of the LAF’s “more cautious” approach re Question 11. Officers would review the Council’s response in the light of the comments made by LAF members and provide a copy to the LAF Chairman for comment. Once the Council’s response had been finalised / agreed with the Cabinet Member, he could provide a copy to LAF members in order to draw attention to any differences between the two.