

VALE OF GLAMORGAN LOCAL ACCESS FORUM

Minutes of a remote meeting held on 22nd March, 2021.

The agenda is available [here](#)

Present: Councillor E. Williams (Chairman), Mr. F. Coleman, Mrs. S. Davies, Mrs. R. Exley, Mr. I. Fraser, Mr. S. Gaffney, Mr. J. Herbert, Mrs. K. Lucas, Mr. H.S. McMillan and Mr. G. Thomas.

Also present: Mr. G.J. Davies, Mr. S. Pickering, Mr. G. Teague, Mr. P. Chappell and Mrs. S. Thomas (Vale of Glamorgan Council), and Mrs. M. Miyata-Lee (Natural Resources Wales)

(a) Apologies for Absence –

The Local Access Forum paid tribute to two Members who had sadly passed away, Mr. R. Pittard and Mr Rr. Simpson. Both were commended for their dedication and contributions over a number of years. The Local Access Forum also paid tribute and respect to a Mrs. Val Warlow, who had also sadly passed away. Mrs. Warlow was a former Member of the Local Access Forum as well as a founder member and very keen contributor of Valeways. The families were in the thoughts of the Members of the Forum.

(b) Appointment of Vice-Chairman –

As there were no nominations, the position of Vice-Chairman would be reconsidered at a future meeting.

(c) Minutes –

AGREED – T H A T the minutes of the meetings held on 3rd December, 2019 be approved as a correct record.

(d) Maintenance Reports –

The Forum was provided with an update in relation to maintenance work that had been carried out. This included over 500 maintenance issues, 153 clearances and 391 signage issues.

Mr. Teague advised that due to Covid-19 pandemic, there had been a drop in the number of activities undertaken by volunteers. This meant that in the main, maintenance work had been carried out by Rangers. Overall, the level of maintenance had been down when compared to previous years and what would have been expected.

Mr. J. Herbert referred to a number of instances of electric fencing being strewn over stiles and he queried whether any action had been taken. In reply, Mr. Teague advised that there were two aspects to this. The first was where an

electric fence went over a stile, and the second was where an electric fence was close to a path. In these circumstances they would contact the landowner asking for either the electric fencing to be moved or extra insulation provided.

AGREED – T H A T the maintenance report be noted.

(e) Legal Orders and Evidential Modification Orders Update –

The Forum was presented with an update on the Legal Orders and Modification Orders across the Vale of Glamorgan.

Mrs. S. Thomas referred to Legal Orders identification numbers 96, 97, 102 and 103. These orders were in the process of being made by legal services. For identification numbers, 97, 100 and 101, the orders had been confirmed and would be going out for consultation.

The Forum was advised that since the GEM newspaper had stopped being printed, the Council would be undertaking consultation through the Barry and District News. This covered the entire Vale of Glamorgan.

Mr. F. Coleman referred to Order identification number 83 – St. Andrews Major, and queried whether the Vale received any maintenance costs from the developers, noting that the path was very steep and would require a lot of ongoing work. In reply, Mr. Teague advised that a Section 106 contribution had been received from the developer, but this did not include funding for future maintenance work. In terms of improving the surface, it was hoped that funding could be found but this would not be via Section 106 monies. Mr. Coleman came back and asked whether ongoing maintenance costs from developers could be considered for future schemes. Mr. Teague stated that the usual approach was to try and bring any path up to the required specification for it to last a considerable amount of time. This scheme was different as the Council did not receive Section 106 money to produce a footpath as it was constructed by the developers.

Mr I. Fraser referred to route 50/51 around Llanblethian to Darren Farm, commenting that there had been a rolling programme closures, and he assumed that the closures would continue until the nearby housing development had been completed. Mr. Fraser asked whether there was any update regarding the diversion and the temporary closure notices. In relation to the diversion order, Mrs. Thomas advised that it had taken some time for the order to be made, which was applied for a considerable time ago. The order consultation period would last or a period of four weeks after which the order would have to be confirmed which would be dependent on the Legal Services timeframe, followed then by another six week consultation period. It would therefore be completed within the next fourteen to sixteen weeks. With regard to the closure notices, Mr. Teague stated that normally when there was a temporary closure notice, there would be little consideration of a diversion order unless it moved the path completely out of sight. The temporary closures were in place because of the scale of the housing development and so the path needed to be closed in order to make it safe. It was likely that there would be an extension to the closure notice.

With regard to evidential modification orders, Mr. Teague provided an update on the following:

<u>Ref</u>	<u>Location</u>	<u>Current Position</u>
1	Clive Rd to Island Rd, Barry	Dormant
12	Village Farm House, Colwinston	Interviews complete – more evidence required
13	Dyfan Rd to Caradoc Ave, Barry	Dormant – to be determined with 12 months
14	Atlantic College, St. Donats	To be investigated
15	Er Efail, Troes	To be investigated
20	Mill Lane, Boverton	To be investigated
17	Clos Cwm Barri, Barry	To be investigated

Mr H. McMillan queried the intent regarding the scheme for Clive Road to Island Road in Barry. Stating that the path had been impacted by the large volume of housing development. Mr McMillan asked whether the Council required more proof. Mr. Teague stated that this was a dormant site with issues resolved through other solutions, but this would be revisited, and the order determined.

Agreed – T H A T the update report be noted.

(f) Covid 19 Impacts –

Mr. Teague provided a verbal update on the impact of the Covid-19 pandemic and he referred to the following:

- During the first couple of weeks when the first lockdown was introduced, the Council's key rights of way work was around carrying out an information campaign mainly through the posting of notices on stiles and gates.
- With a change in Welsh Government guidelines around the number of people who could meet outside, led to a number of instances of landowners being concerned with the high number of walkers on their land. Therefore, information, advice and support had been provided to landowners and contact made with those landowners who had decided to illegally close foot paths.
- As legislation moved on, there was advice to close paths in certain circumstances, for example, as a result of a high number of people congregating at Ogmores Common.
- The Council had been unable to rely on the efforts of volunteer, including those from Valeways and the Ramblers Association. This meant that the Council had to carry out more work directly.
- One positive aspect seen during the past year, was the amount of external grant monies received. Therefore, the Council had been busy to progress schemes but some had been constrained by the ability of contractors to access sites.

Mr. McMillan stated that a lot of the footpath network had seen degradation of surfaces because of the amount of people accessing the countryside. Mr. Teague agreed that this would be a challenge, with the condition of footpaths also affected by the amount of heavy rain and flooding experienced over the past year. Some of the work would be picked up through the Access Improvement Grant. Money from this was more than used to be allocated from Rights of Way Improvement Plan grant formula, and it was expected that the funding would return in 2021/22. A work programme would be devised in order to carry out projects. Mr. Teague added that he would look into whether a claim could be made from the Covid-19 grant monies.

Mr. J. Herbert commented that on many walks he would see people which he had never seen before, some who would go off route to have a picnic and end up littering. He added that some people were also unaware of the many dangers and so here was a need for public awareness campaign to help inform people of the rules and possible hazards relating to accessing the countryside.

AGREED – T H A T the Covid-19 updated be noted.

(g) Access Improvement Grant –

Mr. Teague provided an update on the Access Improvement Grant. The purpose of the grant was to support improvement of access to or on the Public Rights of Way network, open access land and green space.

Funding was allocated based on the historic Rights of Way Improvement Plan (ROWIP) grant formula. The Vale of Glamorgan therefore benefitted from an initial allocation of £44,075 though also identified reserve projects that were funded as more money become became available through the scheme. The total grant amount for 2020/21 was therefore £72900. It was anticipated that the fund will return during 2021/22.

The specific projects funded were:

Description of Project	Location (if relevant)	Progress
Newton House Farm Surface and Drainage - for completion in 21/22	Nr Cowbridge	Preliminaries complete though work delayed due to ground conditions, for completion 21-22
Small Scale Infrastructure Improvement	County Wide	30 kissing-gates & 5 2in1-gates purchased
Capture, edit and upload promoted routes to streetview - For completion in 21/22	Vale Trails Promoted Routes	Camera & associated capital equipment purchased
Prelims for surfacing of FP31, Barry (access into PKCP)	Porthkerry Country Park - Barry	FP31 work commenced though halted due to wet

		weather, for completion in 21-22
Delivery of surfacing of FP31, Barry (access into Porthkerry Country Park) - For completion in 21/22	Porthkerry Country Park - Barry	FP31 work commenced though halted due to wet weather, for completion in 21-22
Waymarking disks	County Wide	Supply of waymarking disks restocked
Procure laser etcher for custom signage	County Wide	Laser cutting machine procured for delivering custom signage
Boardwalk Materials - For installtion 21/22	Porthkerry Country Park - Barry	Boardwalk material for installation during 21-22 purchased
Porthkerry Park - Beach to Car Park Surfacing	Porthkerry Country Park - Barry	Footpath linking car park to beach re-surfaced
Porthkerry Park - Path Edging	Porthkerry Country Park - Barry	Footpath linking car park to beach re-edged

Following a query regarding the amount of bikes using a section of the Coastal Path leading towards to the beach in Llantwit Major, which presented a hazard for walkers, Mr. Teague agreed that this would be monitored.

AGREED – T H A T the report be noted.

(h) Coastal Access Improvement Programme: Background and Update –

Mr. Teague provided an update on the Coastal Access Improvement Programme, which for 2020-21 included the following items:

Project Name	Description	Total Cost	Grant Rate %	Grant Awarded
Maintenance	Annual cut, improvement of steps west of Fontygary,	26066.00	75	19550.00
Monknash	Improvement of culvert, surrounds and access route to coast path and culvert. Will address storm damage of path when under previous permissive arrangement.	2750.00	75	2063.00
Aberthaw	Flooding on section of route near Aberthaw Power station to be addressed by raising level of path	8750.00	75	6563.00
Nash Point - St Donuts	Realign path where it is becoming precariously close to cliff line	23875.00	100	23875.00
The Bulwarks (Preliminaries)	Design work to address slippery slope leading west from porthkerry park. Follows and archaeological	3750.00	75	2812.00

	assessment commissioned in previous years			
Cwm Colhuw (Preliminaries)	Improve surface due to wet and slippery conditions underfoot - steps. Site subject to SAM consent.	1375.00	75	1031.00
Tresilian West (Preliminaries)	Section of path lost due to cliff fall in previous years and informal diversion provided around it. Legal change needed to formalise new route.	2750.00	100	2750.00
Cwm Colhuw Lifeguard	Refurbish remaining wooden risers on the front of steps behind surf life guard station	7375.00	75	5531.00
Cwm Bach	Escape ladders replacement	20307.00	75	15230.25
Cwm Mawr	Repair steps	10000.00	75	7500.00
TOTAL		106998		86905.25

Improvements at Cwm Bach and Cwm Mawr represented reserve projects that attracted additional funding following the initial award.

In relation to the replacement of the escape ladder at Cwm Bach, Mr. Teague clarified that these were historic installations that the Vale of Glamorgan Council had inherited, and the legal liability was not clear if the ladders were removed.

AGREED – T H A T the report be noted.

(i) Enabling Natural Resources and Wellbeing in Wales (ENRaW) – Green Trails –

The Forum received an update the ENRaw Green Trails feasibility study, for which, the Vale of Glamorgan Council had previously acted as lead partner in a regional collaboration for the development of a plan to establish improved bridleway links through the counties of Bridgend, Vale of Glamorgan, Cardiff, Rhondda Cynon Taf and Merthyr.

It was reported that the initial feasibility report was delayed due to Covid-19, that prevented the volunteer survey aspect from being completed. The regional partners were, however, keen to see the work through and committed to retaining the project officer. As a result, the report had now been completed in draft and supported a further expression of interest for the delivery of the program.

In terms of the delivery of Green Trails, the expression of interest for the next stage of the project had been successful and a full application therefore submitted. The expression of interest stage represented the competitive element of the process and therefore it was now anticipated for an offer of the full amount to enable the delivery to continue. The value of the grant was £1,046,400 until June 2023

The Green Trails project aimed to pilot delivery of a coherent network of green corridors within the South Wales Central region for the purposes of improving

bridleway access and habitat connectivity. The project would also explore financial and practical measures to secure the long-term sustainability of that network. Four staff working regionally and hosted by the Vale of Glamorgan Council will be employed in addition to a part time monitoring officer who would assist with grant administration. The four principal staff would have the following roles:

1. Trail Officer
2. Senior Field Officer
3. Field Officer
4. Biodiversity Officer

The partner organisations for the project were Vale CC, Bridgend CC, RCT CC, Merthyr CC, Cardiff CC, British Horse Society, Sustrans, Wales Adventure Tourism Organisation, Cycling UK and The Wildlife Trust of South and West Wales.

Mr. F. Coleman queried whether the costs incurred by Vale of Glamorgan from hosting the new team would be reimbursed. Mr. Teague advised that there would be a grant which would cover all the costs.

Mr Coleman also commented on the sustainability of Leckwith Wood and queried future management arrangements. In response, Mr. Teague indicated that this would be considered at a later stage, but there would be a financial sustainability element to the feasibility study.

AGREED – T H A T the update be noted.

(j) Railway Walks –

Mr. Teague provided a verbal update on Network Rail proposals to provide a series of walks at certain train stations. This was still at the preliminary stage and so maybe something for the LAF to consider at a later stage.

Mr. H. McMillan stated that Network Rail had come out with proposals a while back, which would have removed access across certain tracks and re-route paths. Mr. Teague stated that this was a separate item with Network Rail now picking up some schemes. The main one was the crossing at Aberthaw Station for which, Network Rail had found funding to develop a level crossing. More schemes would likely be put forward if funding was realised.

AGREED – T H A T the verbal update be noted.

(k) Rights of Way Improvement Plan –

Mr. Teague provided a verbal update on the Vale's Rights of Way Improvement Plan.

This had been refreshed prior to the Covid-19 outbreak and the updated Plan would be soon be presented to the Council's Cabinet for approval. Once

approved, the Plan would go out for public consultation. It was expected that this would last across the summer.

AGREED – T H A T the verbal update be noted.

(l) Access Reform: Briefing Note –

The Forum received a briefing note regarding Welsh Government proposals regarding wider recreational access to the countryside.

In 2017, Welsh Government issued the Sustainable Management of Natural Resources (SMNR) Consultation. This included proposed reforms relating to access to the countryside. The Government approach to the SMNR Access proposals, stated that:

- Our Natural Resources Policy illustrates that nature-based solutions can support physical and mental health. That is why we are committed, as a Government, to increasing both access to and enjoyment of our countryside for people – to take advantage of the many health and wellbeing benefits that getting outside can bring.
- An accessible countryside supports our efforts to boost Wales as a tourism destination.

On 4 April 2019, the Deputy Minister for Housing & Local Government [at that time] published a Written Statement setting out the Government's response to the access proposals within Chapter 4. In this statement, seven proposals were identified that required more detailed consideration of the way in which they should be taken forward.

The Deputy Minister committed to establish an 'Access Reform Advisory Group' consisting of a Steering Group and three Expert Groups (made up of cross-sector representatives) to consider these proposals further and make recommendations on their implementation. The role of ARAG would be to consider in detail, how Welsh Government's more significant proposals to reform access rights should be implemented, plus the improved recording and planning of public access.

The Policy Intent for the three Expert Groups was as follows:

Expert Group 1

The remit of Expert Group 1 has been to consider in detail possible approaches: "to increase the range of activities permitted on Country Side and Rights of Way (CRoW) access land (including water bodies mapped under CRoW) and create new access land in coastal areas." This work is split into two workstreams:

- Reform 1A – New Activities on CRoW Access Land

To reduce the restrictions on non-mechanically propelled recreational activities permitted on open access land. This includes potentially allowing the following activities [referred to in Reform 1 as 'higher rights']:

- Cycling
- Horse riding
- Hang-gliding and paragliding; and

- Non-mechanically propelled vessels on, or in, inland bodies of water (excluding reservoirs) currently mapped as open access land:
- Bathing / swimming on, or in, inland bodies of water (excluding reservoirs) currently mapped as open access land.

- Reform 1B – Coastal Access

To extend CRoW access land to the coast, coastal cliffs and foreshore.

Consideration is to be given to the merits of including the Wales Coast Path as part of the definition of new CRoW coastal access land.

Expert Group 2

The remit of Expert Group 2 has been to consider in detail possible approaches to: “Increase the range of activities that the public can undertake by right on public footpaths; and to improve processes and reduce procedural burdens in managing temporary diversions, temporary closures and stock control related to public rights of way”. This is split into two workstreams:

- Reform 2A – Extend Activities on public footpaths

To enable cycling and horse riding to occur by right on public footpaths, providing cyclists and horse riders with more opportunities to access the outdoors.

- Reform 2B – Temporary closures and stock control on PROW

To improve processes and reduce burdens associated with temporary provisions to facilitate short-term diversions or closures on public footpaths and bridleways. Also, to allow farmers more flexibility in relation to controlling stock on and adjacent to public rights of way while making the network more accessible for the public.

Expert Group 3

The remit of Expert Group 3 has been to consider in detail possible approaches to: “improve the process of creating, storing and communication of statutory access maps and develop a more integrated approach to planning improvements to access provision”. This is split into two workstreams:

- Reform 3A – Access Mapping

To deliver a more integrated and updatable system for statutory public access and for publicly accessible areas, and providing comprehensive and easily accessible mapping for public use.

- Reform 3B - Integrated Plans

To create the requirement for Local Authorities and National Park Authorities to develop integrated plans of public recreational access in local authority areas to facilitate and support delivery across multiple policy areas and integrating with other services.

The goal of the Access Reform Advisory Group was to deliver a draft Access Reform Report to the Welsh Government by April 2021. The process of drafting this report would be undertaken in stages, each building on the previous stage. During this process, there will be several ‘products’ that will be made available to the public. These are summarised sequentially below:

- Problem Initiation Document - completed
- Policy Intent Documents [x3] - completed
- Problem Definition Papers [x3] - completed
- Option Identification Reports [x3] – completed

- Reform Options Analysis Reports [x6] – completed
- Option Selection Reports [x3] - completed
- Cross-cutting Theme Report - completed
- Access Reform Advisory Group (ARAG) Final Report – in hand

All papers and reports finalised and issued to date could be found on Welsh Government's access reform pages of their website <https://gov.wales/access-reform-advisory-group>

The Access Reform Advisory Group (ARAG) final report from the ARAG process, consisting of analysis of each of the reform options and the cross-cutting themes, consideration of the preferences and views of Expert Group members, together with recommendations to Welsh Government ministers on how to proceed. A published version of the report was expected to be issued by July 2021.

Mr. F. Coleman raised a concern regarding Reform 2A which was related to giving greater access to cyclists. Mr. Coleman had a concern that footpaths could become degraded and make some paths unsafe.

Mr. S. Gaffney queried whether costs resulting from the proposals would be borne by landowners or the Council. In reply, Mr. Teague stated that this would be something that the ARAG would consider, with any recommendations requiring legislative approval by Welsh Government.

AGREED – T H A T the update report be noted.