

## BBNP LOCAL ACCESS FORUM

### Confirmed Minutes of the 3<sup>rd</sup> Meeting held at 4.00pm on Thursday 18<sup>th</sup> September, 2008 at the Craig y Nos Country Park

#### **Present**

Chairman:- John Evans (JE)

Secretary:- Richard Ball (RB)

Gwyn Gwillim (GG)  
Helen Lloyd Jones (HLJ)  
David Mantle (DM)  
Mike Scott-Archer (MSA)  
Martin Skinner (MS)  
Richard Stow (RS)  
Graham Davies (GD)  
Steve Rayner (SR)  
Colin Woodley (CW)

#### **Observers:**

Avril Barnes (AB)	Rights of Way Assistant, BBNPA
Eifion Jones (EJ)	Rights of Way Officer, BBNPA
Kirsty Mallindine	Access Assistant, BBNPA
Michael Smith	Countryside Council for Wales (CCW)
John Phillips (JP)	Brecknock Access Group

2 members of the public present

#### **1. Welcome and Apologies**

JE welcomed members, observers and guest speaker John Phillips. He received apologies for absence from John Cook (JC), Neil Bennett, Jeremy Atkinson, Alan Ward and Judith Harvey.

#### **5. Brecknock Access Group**

JE invited John Phillips to present his talk earlier than the agenda specified.

JP gave a talk on the work of Brecknock Access Group (BAG) and issues that faced not only physically disabled people but also other groups such as parents with buggies. He was proud of the booklet BAG had produced listing facilities and their degree of accessibility in the main towns of Brecknock. They were now encouraging other towns to start their own groups so that local problems could be addressed by local people.

Since the 1995 Disability Discrimination Act that requires service providers to take reasonable steps to make their services available to all, he estimated that only 5% of them had complied. Due to high costs, court action is rarely undertaken. The Disability Discrimination Act 2005 requires Local Authorities to draw up a Disability Equality Scheme to ensure the needs of the disabled are taken into account. Powys CC adopted theirs last year but has yet to implement it. Since July 2007 all planning applications are required to contain an Access Statement which informs planners of the philosophy of the inclusive design. He claimed that until BAG brought this to the attention of the planners at Powys, Access Statements were not attached. He informed members that there are no Government Guidance/Advice Notes for planners when a Statement appears

unreasonable. This means that planning officers are powerless to challenge or reject an Access Statement. They are lobbying WAG to rectify this and would like a letter of support from BBNP LAF. Members discussed whether this matter was within their remit; RB pointing out that the CROW Act mentions 'open air enjoyment'. RS said that the LAF should be concerned because pedestrian access to new housing developments often involves the creation of new ROW. In Crucorney there is currently a live planning application for a residential development where the only proposed disabled access to the whole site is a new footpath – a new public ROW across a field – but this path does not comply with disabled access standards.

When asked if he had any access issues within the BBNP, JP praised BBNP for doing all within its power and budget to provide access for the disabled where it can.

JE thanked JP and said Members were grateful for such an informative talk.

***Action point: A letter to be sent to WAG expressing serious concerns that Access Statements are not working within the planning system as WAG intended, in particular developers are not following the principles of “inclusive design”, and planning officers seem powerless to change or reject inadequate Access Statements. This is particularly detrimental to upholding disabled access standards.***

#### **4. Statutory Duties, Terms of Reference**

JE brought this item forward in the Agenda. He reminded the Forum of its statutory duties under the CROW Act and its Terms of Reference, adopted at the May meeting. He asked the members if they would like to develop rules for conduct at and communication after meetings, but it was felt that there were more pressing matters.

Concern was raised on the circulation in public domains of unconfirmed minutes. RB did not want unconfirmed and confirmed minutes to be presented to PAROW meetings, it should be one or the other. Members felt that any urgent matters flagged up at meetings should be minuted and brought forward by RB to PAROW as soon as possible, and confirmed minutes only should be presented to PAROW.

***Action point: Minutes to be distributed within seven working days of meeting and members should make comments within 14 days. Minutes then become unconfirmed from draft. Other than urgent matters or emergencies, only confirmed minutes to be presented to PAROW and section 8f in Terms of Reference altered to reflect this.***

#### **2. Receipt & Adoption of Minutes from the Meeting of 21<sup>st</sup> May, 2008**

The following changes were made to the unconfirmed minutes:-

Richard Stowe was changed to Richard Stow in Present

JE wished the last sentence of section 2 to be changed from 'and thanked those who had supported him and looked forward to working with all to make the Forum a success'.

In section 9, line 7, the word 'give' was removed

In section 15, line 5, 'water based' altered to 'water related'

In section 16.3, 'off tarmac' altered to 'off road' on two occasions and in line 2 'take' altered to 'drive'

In section 16.8, line 2, 'inform the Forum about' replaces 'discuss'

The minutes were then accepted and signed as a true record.

### **3. Matters Arising from the Minutes of the Meeting of 21<sup>st</sup> May, 2008**

#### **3.1 Community Involvement**

JE and HLJ were keen that BBNP LAF should have a presence at Hay Festival and to hold the spring meeting there in order to give the public an opportunity to see what a LAF does and give feedback. RB reported JC's comments that there would be funding issues and that BBNPA is required to provide Secretariat support to the LAF and in his opinion this proposal would require the Authority to go beyond that remit. The Forum should therefore organize the event themselves. As the Authority has to act as the Secretariat at the LAF meetings, the event could not be a meeting, but perhaps a debate. After a discussion strong views were expressed for and against holding a meeting at such an event. HLJ proposed that she investigate sponsorship and the idea in principle, which GD seconded.

*Action point: HLJ to report on progress with costings/sponsorship at next meeting*

#### **3.2 Sgwd yr Eira Footpath**

JE reported that letters had been sent to CCW and the Forestry Commission (FC) but he had yet to receive a response. He was delighted that the path had reopened. Copies of the letters were not sent to Ystradfellte CC as CW was shown these at the meeting. RB apologised that he had not sent letters to Community Councils.

#### **3.3 Foot and Mouth disease fences/fences on Access Land**

The BBNP Authority had applied to retain the fencing between Manor Penderyn and Great Forest of Brecknock commons but this was rejected by the Welsh Assembly Government (WAG) largely because they considered it an obstruction to access. CW stated that the Penderyn Commoners Association will be challenging the decision so the fence will remain in place for the time being. The members of the Forum were divided on its presence. Some were in favour of the fence remaining to act as a barrier to the transmission of diseases such as Blue Tongue and to restrict grazing pressures from animals on adjoining commons which would have a detrimental effect on the vegetation. Others would like to see the fence removed for aesthetic and access and enjoyment reasons. JE requested a copy of the decision letter.

GG reported that no further action had been taken with regard to the fence at the head of the Grwyne Fawr valley. RB stated that the Chairman of the Black Mountains Commoners Association had spoken to him about it. He was advised to make an application to the WAG, but was reminded that the conservation element in the Great Forest fence had been rejected. RB also reported that an application to fence off a large section of Hatterall Hill to help recovery of burnt ground was likely to be made to DEFRA and WAG.

*Action point: RB to forward a copy of the WAG decision letter.*

#### **3.4 Talybont Reservoir SSSI**

RB reported that the reservoir was likely to be denotified as a SSSI and to be promoted as an area for quiet recreation. Part of the reservoir may become a local Nature Reserve. It is thought denotification will not affect water related activities.

#### **3.5 Electronic Planning Forms**

JE had written to Lesley Kirkpatrick (LK) at BBNPA and WAG planning department with regard to the addition of a question on the forms concerning the existence of a right of way and had received a positive reply from LK.

### **3.6 Off Road Motor Vehicles**

JE brought to the attention of the Forum that Ceredigion Council had received funding from WAG for a Pilot Project relating to the sustainable use of off road motor vehicles in the Cambrian Mountains. CCW are working with local authorities to assess its potential. EJ pointed out to members that the project referred mainly to Unclassified County Roads (UCR) and forest roads. Members commented that use of these vehicles caused scars on the landscape and were dangerous to walkers and caused erosion. It was felt that the word 'sustainable' was inappropriate in this context.

*Action point: JE to write a letter to CCW expressing concern, emphasizing the wider effects.*

### **3.7 Access land, right of access, exclusion**

Michael Smith reported that CCW were not happy that their decision not to exclude access to a lambing field in Ceredigion had been overruled by the Planning Inspectorate but there would be no challenge. Copies of the decision are yet to be circulated.

### **3.8 Consultation on Public Rights of Way Orders**

JE suggested that when EJ receives an application for an order, he should send a copy to the Chairman, Deputy Chairman and the nearest member of the Forum who could then relay comments back to EJ. EJ felt that three individual responses could cause problems and that one 'Forum Response' was preferable. A possible mechanism was discussed and it was decided that all members should receive copies of the applications and they decide what action is to be taken. JE agreed to be the 'clearing house' for Member's comments.

During the discussion GD raised an issue about the condition of some paths and how action could be initiated. AB explained that problems such as signage, maintenance *etc.* with Rights of Way should be directed to her, and she would liaise with the Area Warden.

*Action point: Forum members need to comment on an order within three weeks to JE so he can assemble collective views for EJ within six weeks. Other problems with Rights of Way to be directed to AB.*

## **6. Brecon Beacons National Park Management Plan (NPMP) Chairman**

JE pointed out that consultation on the Draft had ended in August, and asked that Members be kept informed of the Plan's progress.

## **7. Water Related Strategy**

JE showed the members a copy of a booklet entitled A Better Place to Play in Wales. This is a summary of The Environment Agency Wales' strategy for Water Related Recreation 2008-2012 and can be downloaded from <http://www.environment-agency.gov.uk/regions/wales/1168208/2086430/>. RB reported that the next BBNP PAROW meeting will be discussing implications of this strategy. RB informed members that there is a Splash Challenge Fund paying out £400,000 p/a over a three year period, which will be administered through the Environment Agency. RB will be putting in a bid and would like the Forum to write a letter of support. Ideally a part-time officer is required to help pull together interested parties to develop projects. Members supported this. MSA asked to be kept up to date with developments.

*Action point: A letter to be written by the Forum in support of the bid.*

## **8. Funding Issues**

RB had spoken to JC about fund raising and he restated that initially he had not been inclined to support employment of a dedicated sponsorship/funding officer, although this may be reconsidered. JC had explained that if one person does all the fund raising that person develops networks and then if that person leaves; the Park is left without the contacts it needs. JC prefers to have a team of people, all of whom have specific remits for fund raising so the knowledge is shared and therefore kept in the Park. RB is investigating the Esmée Fairbairn Foundation and the Heritage Lottery Fund to help fund upland erosion work.

The Budget for the LAF this year is £1250.00 excluding Officer's time. RB explained there was no longer any need to advertise meetings in the local press because dates can be seen on the website, and the expenses incurred will be for member's expenses, the cost of venues, and refreshments. If it appeared the budget may be exceeded RB said that the number of meetings each year would need to be reviewed.

RB also reported that £92,000 had been made available this year by the WAG for the implementation of the ROWIP, and there was a strong indication that this would be available for the next two years.

MSA reported problems he had found with the ROW network and felt that the ROW section was under pressure with insufficient staff to do the job. He put forward the idea of training youngsters who could then do contract work in the area. EJ replied that research for the ROWIP indicated that the network was in a poor condition and it would be a long task to bring it up to an acceptable standard. The WAG money did not go a long way as there were some expensive projects, like bridge replacements, to fund. There was still a huge amount of work to do, few contractors in the area and staff could not be employed under WAG funding rules. RB commented that a scheme to train staff to do upland erosion work a few years ago had produced locally skilled contractors but due to lack of reliable funding they had all ceased operating. More revenue funding was required. HLJ asked if community councils could do some of the work, but EJ replied that apart from Ystradgynlais and Llangattock no interest had been expressed. GD said that Ystradgynlais Community Council levied £20,000 from the local community tax and had some materials supplied by Powys County Council, for PROW work mainly in the urban areas outside the National Park. EJ said that £20,000 was the total budget for the BBNPA for rights of way maintenance work. HLJ felt there was a need to bring together the BBNPA, County Councils, Community Councils and the Ramblers Association to look at this and deliver a better network. JE agreed that there was a need to be pro-active and that it was a topic for discussion.

## **9. Annual Reports**

The Annual Reports for the three former forums had been recently published. HLJ commented that her name had been left off the members list for the Central LAF for which RB apologised.

JE suggested, and it was agreed, that in future the draft annual report should be available for summer.

## **10. National Access Forum for Wales (NAFW), Election of National Representative**

JE reported that it was proving difficult to find a new national representative. JE's opinion was that the Chairman should be someone living close to Cardiff. It was hoped

that a new representative would be in place by spring 2009. In the meantime Geoffrey Williams, Chairman of Carmarthenshire LAF, is acting as Vice Chairman.

**11. National Access Forum for Wales Visit to BBNP**

The visit of NAFW to BBNP will take place on 24<sup>th</sup> and 25<sup>th</sup> September, 2008. The theme of the visit is the Economic Benefits of Countryside Access. The itinerary includes visits to Sgwd yr Eira, Dinas Rock, The Gap Road, and Llangorse Rope Centre. EJ and RB will report at the next meeting.

**12. Proposed Business of Next Meeting**

- WAG Funding for ROWIP – allocation of funds
- The closure of public toilets and how it will affect public access to the countryside
- National Park Management Plan
- Sustrans representative to attend
- Beacons Bus Service – Annie Lawrie, Sustainable Transport Officer, to be invited
- Report of NAFW visit to BBNP by RB and EJ
- Hay Festival Meeting 2009

**13. Any other Business**

1. **Funding of ROWIP:-** RB reported that WAG money had been allocated and projects were underway. GD requested an opportunity to debate how the money should be spent and expressed disappointment that it had not been an agenda item. He wished for a report of where and how the money was to be spent in order to ensure that it was properly allocated. RB replied that the funding was for priorities within the ROWIP which had been discussed at length by the LAF, but he would bring a report to the next meeting about allocation of funds.
2. **Footbridge over R Llynfi, Talgarth:-** JE informed the meeting of a letter he had received from Elaine Starling of Talgarth, concerning the missing bridge near Great Porthamal and its replacement. GG pointed out that this bridge formed an important link in The Three Towers Walk. EJ said that he was meeting with Powys County Council Highways officers on Friday 26<sup>th</sup> September and would raise the subject then. GG informed the meeting that the bridge would enable Talgarth to have a Three Towers Walk - Bronllys Castle, Porthamel and The Tower in the centre of Talgarth.
3. **Powys ROWIP:** JE reported receipt of the Powys ROWIP.
4. **Caving and Cave Access:-** CW requested that the LAF consider caving and cave access when looking at Water Related Recreation, as many caves are in water courses.
5. **Bus services:-** RS reported that the bus service between Abergavenny and Hereford had been cut by half by Monmouthshire County Council from 1<sup>st</sup> September, without any consultation of the town and community councils along the route. Service is now only every two hours, and of the 14 stops on the route in Crucorney Community, only three have timetables, which makes it very difficult for residents and visitors to use the service. The service reduction is of additional concern because of the number of tourists staying in the camping and caravan sites along the A465, and because in Crucorney the bus route connects with three long distance

paths: Offa's Dyke Path, the Marches Way, and the Beacons Way. RS asked whether BBNPA transport or tourism officers were consulted when bus services were reduced in the Park area, and suggested that if not, BBNPA should insist on this role. It was agreed that this item would be further discussed at the next LAF meeting when a BBNPA sustainable transport officer would be present.

6. **Access Assistant:-** AB introduced Kirsty Mallindine who had taken the position of Access Assistant vacated by Dawn Fox.

**14. Dates for Future Meetings**

The next meeting will be held on Thursday 4<sup>th</sup> December, 2008, at Crickhowell Resource & Information Centre, starting at 2 pm.

**Members please note the revised time of this meeting.**

The chairman thanked all observers for attending, and particularly for the contribution provided by John Phillips, Brecknock Access Group.

The meeting closed at 19.00.