

## **BBNP LOCAL ACCESS FORUM**

### **Confirmed Minutes of the 10<sup>th</sup> Meeting held at 2.00pm on Thursday 10<sup>th</sup> June, 2010 at the BBNPA Headquarters, Brecon**

#### **Present**

Chairman:- John Evans (JE)  
Secretary: - Richard Ball (RB)

Mike Scott-Archer (MSA)  
Colin Woodley (CW)  
Michael Ash (MA)  
David Thomas (DT)  
Graham Davies (GD)  
Gwyn Gwillim (GG)  
Neil Bennett (NB)  
Julian Atkins (JuA)

#### **Observers:**

Eifion Jones (EJ) Rights of Way Officer, BBNPA  
Kirsty Mallindine Access Assistant, BBNPA  
Avril Barnes Rights of Way Assistant, BBNPA

Three members of the public were present: David Gittens (DG) (Hay Town Council), Peter Games (Crickhowell Town Council), and Joyce Evans.

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

JE welcomed members and observers. Apologies for absence were received from Jeremy Atkinson, Martin Skinner (MS), Pamela Bell, Helen Lloyd-Jones, David Mantle and Michael Smith (MSm), Countryside Council for Wales (CCW).

#### **2. Confirmation of Minutes from the Meeting of 4<sup>th</sup> March, 2010**

'on 26' in line 7 of item 3.5 was altered to 'in'. The minutes were then accepted with no further alterations and it was agreed that JE should sign them as a true record.

#### **3. Matters Arising not otherwise appearing on Agenda**

##### **3.1 Waterfalls Area Management Plan**

RB informed members that it was the Waterfalls Code of Conduct and not a Management Plan. The code was launched on 10 May 2010 with approximately 50 people attending a presentation at Banwen, followed by a site visit.

*Action Point: KM to circulate a copy of the code to members.*

##### **3.2 Gates on Bridleways**

EJ had not received any information from members regarding stiles replacing gates as requested at the previous meeting.

The Area Warden visited the landowner of Slwch Lane who has since removed the gate crossing the bridleway.

EJ has surveyed restricted byway number 26 and bridleway number 21, which commence on Mynydd Illtyd and produced a paper for members to view the location of problems he encountered as well as the location of furniture. Of the 15 gates present, five appeared on the 1904 map of the area (although not necessarily in the same location) and a further one

on the 1953 map. He informed members that the BBNPA had been requested to seek the removal of all the other gates. EJ suggested that members visit the site to view the problems and then advise the BBNPA.

**Action Point: EJ / RB to organise a site meeting at Myndd Illtyd.**

### **3.3 Monnow Bridge**

JE reported that nothing seems to have been heard about the opening date of the bridge.

### **3.4 Multi-user Path, Talybont**

Work is now complete on the paths and 450 meters of the path can be utilised by wheelchair users. An application to PAVO for funding to continue with improvements was unsuccessful.

### **3.5 Water Related Recreation**

The NAW Sustainability Committee is due to present its Report on 16 June 2010.

**Action Point: This item is to appear on the agenda of the September meeting**

### **3.6 Hay Festival Walk**

RB led the walk on behalf of the BBNP LAF and Ramblers Cymru. There were 50 participants, including Morgan Parry, Chairman of CCW.

**Action Point: An event to be planned at the September meeting for next year's Hay Festival.**

### **3.7 National Park Management Plan**

The text of the plan has been approved by the BBNPA and will go to the AGM to be held at the end of July for final approval. It will then have to be translated into Welsh and should be sent to the publishers in September.

### **3.8 Planning Applications Affecting PROW**

#### **3.8.1 Press Notices**

JE was concerned that there were some misleading planning notices appearing in the local press. EJ said that local authorities have to advertise planning applications and indicate if a right of way will be affected. The word 'affected' could be interpreted as physically affecting or aesthetically affecting, this is not clear in relevant regulations. It may be that the statutory obligation is being interpreted broadly. JuA agreed to consult the Director of Planning.

**Action Point: JuA to consult with the Director of Planning and report back to members at the September meeting.**

#### **3.8.2 Wind Turbine, Cwmyoy**

The original wind turbine application has been withdrawn and re-submitted. EJ met with the applicant along with a representative of the British Horse Society. It is now proposed that the original bridleway will remain and a new bridleway will be created, which will be further away from the turbine.

### **3.9 National Access Forum Meeting 9 March**

#### **3.9.1 Access Provision Under Glastir**

A copy of the minutes is attached

### **3.9.2 DC / WW's Policy on Access to Inland Waters**

A copy of the minutes is attached

### **3.9.3 Consultation of LAFs on Planning Matters**

A copy of the minutes is attached.

JE felt that the BBNP LAF should be consulted on certain planning matters such as the Clay Pigeon shoot close to Carreg Cennen and there was scope for greater improvement.

### **3.10 CROW Act 2000 Review**

RB informed members that review work was due to take place in 2012 / 2013, but at what scale was still unclear and WAG was to advise CCW in the future. He had been contacted by MSm whose role as Countryside Access Officer for CCW had changed and now is involved mainly with advising on effects of wind farm development, therefore it appeared that there would be no CCW observer at future LAF meetings.

### **3.11 Mountain Centre**

BBNPA have appointed Haley Sharpe Design to develop proposals to redevelop the NPVC and undertake a consultation. Some consultation has taken place with regard to location and contents of a future information centre. A public consultation will take place and the BBNP LAF will be consulted.

#### **4. Treadlightly!**

A PowerPoint presentation was given Mark Margetts indicating how to protect opportunities for motorised recreational access through education, partnership working and conservation initiatives. A copy of the presentation is attached to these minutes.

#### **5. North West Wales Outdoor Partnership**

This item was adjourned until the September meeting as MS was not present.

#### **6. Park Explorer Website**

The website is not fully operational at present and will be tested in the next few weeks. A link will be sent to BBNP LAF members when the website can be accessed and they will be able to send comments with regard to its improvement.

**Action Point: KM to e-mail website link when available for members to comment on Park Explorer. Demonstration to be arranged for September meeting.**

#### **7. Creating an Active Wales**

There was nothing further to add on this item.

#### **8. Brecon Beacons Trust**

Peter Ogden (PO) (Chairman) and Alan Underwood (AU) (Secretary) of the Brecon Beacons Trust explained that the Trust had been in existence for approximately a year. The fund has been donated by the National Grid and is for projects within the Brecon Beacons National Park, although some flexibility is applied when projects abut the park boundary with the majority of end users within the park. The Brecon Beacons Trust sees its role as enabling local communities and voluntary organisations, living and operating within the area of the Brecon Beacons National Park, to positively conserve and enhance their local environments so as to contribute to the overall quality of life for people who live, work in or visit the Park. The trustees will not consider projects that are for the delivery of statutory responsibilities, or for commercial gain.

AU is the first contact when applying for a grant and he is happy to discuss a project before an application is submitted. His contact details are:

Telephone: 01873 832490  
Mobile: 07788 530021  
e-mail: [alan@breconbeacontrust.org](mailto:alan@breconbeacontrust.org)

In their first 12 months 44 statements of intent have been received and 11 projects have been funded, totaling £110,000. Each project is funded to a maximum of 75% of the cost, with the balance either funded directly or in kind. It is envisaged that £150,000 per year will be given out in funding, with a notional cap of £30,000 per project, and that the funds will last for a minimum of 10 years. The trustees are investigating ways to generate further income in order for the Trust to last longer.

DG asked if only environmental projects were considered or does it include work on buildings. PO explained that a project should improve the character of the park for it to be considered.

**9. Glastir Permissive Access**

Nothing further was added to this item as it had been referred to in item 3.9.1.

**10. Annual Report 2009 / 10**

There were no comments from members on the draft copy of the BBNP LAF 2009 / 10 Annual Report.

*Action Point: KM to complete the Annual Report and distribute to members.*

**11. Relationship with PAROW Committee**

JE opened the item and indicated that he and JuA had met to discuss the issue. One suggestion made had been for PAROW Members to sit in as observers on a LAF meeting. JuA explained that he was concerned about this being an efficient use of a Member's time as they would not be able to contribute fully to the meeting and there might be cost implications. The NPA had previously considered its representation on the LAF and had concluded that the Director of Countryside & Land Management was the appropriate nominee. At present the Annual Report is tabled as a report to the NPA but it may be possible for the LAF Chair to present the report formally to the NPA and this would raise the profile of the LAF and its work with NPA Members. JuA agreed to look at the matter further and prepare a proposal paper.

*Action Point: JuA to prepare a proposal paper.*

**12. Fences**

**12.1 Gap Road**

There was nothing further to report.

**12.2 Penderyn Common**

CW declared an interest in the matter.

Paul Sinnaduri (PS), senior ecologist for BBNPA, informed members that the Section 194 application for the retention of the foot and mouth fence is near completion and will be resubmitted. The application will contain all responses, both in support and in opposition, from a wide consultation.

The application supports other projects on the common, such as feeding blocks and mowing regimes over a 10 year period. If after 10 years the conservation methods are successful, there will be a further application for the retention of the fence. If there has been little improvement, an application for a further 5 years will be made with alterations to the conservation methods. If those prove to be unsuccessful no further applications will be made.

PS considered shepherding not to be viable due to the costs and hill farms are marginal enterprises.

BBNPA will maintain the stiles and gate and if more stiles are required they will be installed, although the common is almost unwalkable due to clumps of Molina and rushes. The commoners have agreed to maintain the fence.

PS agreed to make a copy of the final application available to BBNP LAF by 9 August 2010 and for a meeting to be arranged for 19 August 2010 and asked the BBNP LAF to give formal approval to the application.

CW told members that the Penderyn Commoners Association are prepared to make a written agreement with BBNPA with regard to the management of the common if their application to Glastir is not successful.

### **12.3 Black Mountains SSSI**

RB informed members that the Planning Inspectorate has received 14 objections for the fencing application. Meetings with some of the objectors have been held at Craswall and on-site, but no compromise was found and the objectors are still unhappy with the proposals. Natural England will respond to the objectors via the Planning Inspectorate, who will then decide whether to go to Public Inquiry.

## **13. ROWIP Programme**

EJ presented a report on the progress of ROWIP in 2009 / 2010. Funding has been confirmed for 2010 / 2011, which is the same as the previous year at £92,000. The money will be divided roughly equally between the eastern area of the park, the western area of the park, and upland erosion projects managed by RB.

## **14. Rights of Way Orders**

### **14.1 Bridleway 6, Talybont on Usk**

EJ said this was still being worked on.

### **14.2 Footpath 146, Bettws, Crucorney**

EJ is awaiting a reply from the developer's solicitor.

### **14.3 Footpath 486, Llanfihangel Crucorney**

JE declared an interest and left the room while this matter was discussed. NB took the chair.

PAROW has approved the diversion application and the NPA solicitor will draft an order in due course. JuA informed members that the developer is expected to install an alternative path within the development to the satisfaction of the NPA and that the following condition has been imposed by BBNPA upon the developer:-

That the footpath be 2 metres wide (minimum) with (at least) a compacted, firm surface made up of stone with a diameter of 10mm or less. Gradient should be 1:12 or shallower (if

possible, depending on what can be achieved on site). Minor drainage works may be necessary to divert and channel any water away from the surface of the footpath. Again, that will depend on what can be achieved on site.

The Developer's attention has also been drawn to the Access for All guidelines.

JE returned to the room and resumed the Chair.

## **15. Wales LAFs Conference 20 May**

The conference was well attended with good presentations, including one from NB on bridleways, similar to the one he gave to the LAF in December 2009.

## **16. Any Other Business**

### **16.1 Porthamel Biodegester and Public Footpath No. 11, Talgarth**

MSA presented members with a map of the Three Towers walk showing how the proposed diversion of public footpath no. 11 would move the footpath further away from medieval tower. He asked the LAF whether he should attend the next PAROW meeting on their behalf to propose an alternative to the route suggested and which had been discussed at a previous meeting of the LAF. EJ stated that the LAFs suggestion had been put to the landowners but that it had been rejected and that the Authority could not force this upon them. He had no option therefore but to report the original application to PAROW. As he thought the proposal was reasonable it would be recommended for approval. JuA stated that the only ground to be considered in assessing the diversion application was whether it was necessary to enable the development to proceed. As planning consent had been granted and as the new development would obstruct the present line of the path, the answer to that question was clearly yes. JE stated that now was probably not the time to push this matter further and that there could be an opportunity in future to reopen discussions with the landowners. This was dependent on whether the BBNPAs application for a judicial review of the Inspector's decision with regard to the planning application was successful or not. MSA stated that under the circumstances and, given the comments made, he would not now appear at the PAROW meeting.

### **16.2 Community Council Support for Local Footpaths**

GD acknowledged the fact that the country as a whole has to make savings and wondered what Community Councils contribute to maintain rights of way in their area. JE asked RB to communicate with town and community councils within the National Park asking this question.

*Action Point: RB to write to town and community councils asking if and how they contribute to the maintenance of their local rights of way.*

### **16.3 Announcement of LAF Meetings**

JE had received a letter from a former member of Eastern Area LAF who would like to be informed of future LAF meetings. The author was concerned that LAF meeting dates were not well publicised. RB pointed out that they are posted on the BBNPA website well in advance, and one of the rôles of the members is the dissemination of information.

### **16.4 RoW Orders**

GD asked for LAF to be informed of Rights of Way orders that have either been confirmed or made. JE agreed this should be added to future agendas

*Action Point: Rights of Way orders that have either been confirmed or made to be added to future agendas.*

## **16.5 Membership**

MSA asked if there was a vacancy for a new member. RB informed members there can be up to 22 members. People can apply to RB for consideration.

## **16.6 Multi-user Path A40**

NB informed members that the last petition was submitted on 11 May 2010. The Deputy Minister may consider it if there is funds.

The meeting closed at 17:20