

BRECON BEACONS NATIONAL PARK AUTHORITY

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Plas y Ffynnon
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Brecon
Powys
LD3 7HP

Dear Member

A meeting of the **STRATEGY AND POLICY COMMITTEE** will be held in **THE MAIN CONFERENCE ROOM, PLAS Y FFYNNON, CAMBRIAN WAY, BRECON** on **17TH NOVEMBER 2005** at **2.00pm** when your attendance is requested.

Yours sincerely

CHRISTOPHER GLEDHILL
CHIEF EXECUTIVE

Cllr Mrs M Tunnicliffe
Cllr J Morris (Chairman)
Cllr P Ashton
Cllr Mrs K Silk
Cllr E T Morgan
Cllr Mrs M Morris
Cllr K Pathak
Cllr W Powell
Cllr E Williams
Cllr H Morgan
Cllr A Breeze
Cllr A Carrington

Cllr A Baynham
Cllr G Thomas
Cllr P Hopkins
Cllr M Reece
Mr P Seaman
Mrs I Evison
Mrs J Charlton
Mrs M Taylor
Mr J Suter
Mr M Thomas, MBE
Mrs P Thomas
Mr C Young

Fire Evacuation Advice

***In the event of a fire, please exit the building via the main staircase,
and assemble in the car park at Assembly Point 3***

AGENDA

1.0 CORRESPONDENCE

To receive and consider the attached schedule of correspondence and make any recommendations thereon. (Below).

2.0 DECLARATIONS OF INTEREST

To receive any declarations of interest from members relating to items on the agenda. Members' attention is drawn to the sheet attached to the attendance sheet and the need to record their declarations.

3.0 MINUTES

To receive the minutes of the meetings held on 29th April 2005 and 24th June 2006 and to authorise the Chairman to sign them as a correct record (**Enclosure 1**).

4.0 PUBLIC SPEAKING

To give opportunity for members of the public to address the Committee in accordance with the Authority's Public Speaking Scheme.

5.0 WALKING TOURISM STRATEGY

Richard Tyler

For both the Walking Tourism Strategy and the Sustainable Tourism Initiative go to: www.visitbreconbeacons.com and enter the 'Information for Tourism Businesses' section (bottom of page). Either document can be downloaded from here.

The direct references are:

WTS:

http://www.breconbeacons.org/visit_the_park/Tourism/BBWTSnomaps.pdf/file_view

WSTI:

http://www.breconbeacons.org/visit_the_park/Tourism/WSTI%20strategy%20v3.pdf/file_view

Members will receive a presentation from the Sustainable Tourism and Recreation Officer on the walking tourism strategy (a summary of which is attached at **Enclosure 2**).

- a) ***Financial, Staffing and Improvement implications: No extra budget is being requested at this stage. It is anticipated that work in line with the strategy will improve our level of service to visitors and local people***
- b) ***Equality Issues: None***
- c) ***Sustainability Appraisal: The strategy aims to improve the sustainability of one of the key recreational uses of the National Park***

d) **Human Rights: None**

e) **Background Papers: Copies of the full Strategy will be available for consultation in the Members Room from 4th October 2005**

f) **Corporate Objective:**

Recommendation: That the Walking Tourism Strategy is approved subject to the amendments accepted above.

6.0 NATIONAL PARKS IN WALES – SUSTAINABLE TOURISM INITIATIVE

Richard Tyler

This draft document (***See website link above, and a reference copy is in the members' room at Plas y Ffynnon***) has been developed by a partnership of national bodies working with the three National Park Authorities. It outlines the considerable work that each of the National Park Authorities are already doing in support of tourism following an audit of our activities. The audit runs to more than 8 pages making the point that our contribution to the economic development of our different areas is major and needs much greater emphasis, particularly in our discussions with the Assembly and local people.

The initiative uses the analysis developed by WTB to emphasise that, although the keener outdoor people ('Dedicated' and 'Heavy' Actives in marketing language) are generally well provided for, the 'Light Actives' and 'Browsers' are less so. There needs to be more emphasis placed (particularly in an area like the Brecon Beacons) on providing facilities and information for these groups. In turn this means more work in developing lighter outdoor activities, catering in general and retail businesses. In our terms, this works towards the aspiration of lower environmental impact per pound of income generated.

Integrated Quality Management – the local tourism management concept adopted by WTB - is emphasised. In essence this provides a mechanism to ensure that all aspects of a destination are taken into account. If the accommodation is excellent but the catering poor, the destination will not prosper and work needs to be concentrated on the latter. Our role is to work with partners to identify the problem areas and find a way to resolve them. Our strengths are around the management of visitor infrastructure and the impacts that visitors can bring as well as providing significant amounts of information.

We also have the opportunity to work with the tourism industry to provide a better service for visitors. Training in outdoor activities, education about the value of the environment, assistance with becoming more 'green', better integration of tourism into local communities – all are roles potentially we can be or are fulfilling.

In marketing terms, there is a general move towards amalgamating marketing areas rather than dividing them. Marketing is both an expensive and highly technical business that cannot be dabbled in. The key here is partnership working, with National Park Authorities working with existing marketing organisations to ensure their message comes through. Once the UK National Parks brand is fully established this is seen as the right way for this to be used.

The Initiative outlines a series of actions that the National Park Authorities are signed up to over the next three years, reflecting the earlier analysis.

Members' comments on the draft paper are invited. These will be incorporated into the final draft for approval.

- a) **Financial, Staffing and Improvement implications: No extra budget is being requested at this stage. It is anticipated that work in line with the Initiative will improve our level of service to visitors and local people**
- b) **Equality Issues: Tourism is by nature a selective process, focusing on key target markets. However the analysis in the paper tends to a greater level of social inclusion.**
- c) **Sustainability Appraisal: The strategy aims to improve the sustainability of one of the key economic development issues in the National Park.**
- d) **Human Rights: None.**
- e) **Background Papers: Copies of the full paper will be available for consultation in the Members Room from 20th October 2005**

Recommendation: That Members comment on the draft paper.

7.0 SOCIAL INCLUSION STRATEGY

Clare Parsons

Social inclusion is a key cross-cutting theme which influences much of the policy emanating from the Welsh Assembly Government and is an integral part of the sustainable development agenda. This was reflected in *The Review of National Park Authorities in Wales 2004*, and again in the *Welsh National Park Authorities – New Policy Statement (draft) 2005*, which updates and replaces previous strategic guidance to the NPAs on the practical implementation of their core functions. The New Policy Statement states that “the NPAs have a strong part to play in delivering the Assembly’s social inclusion objectives”. It recommends that NPAs take this work forward by developing “a new joint (three Park) strategy to guide future action on this important subject” and

that “key developments on the equality and social inclusion agendas can be usefully reported in the new annual reports.”

The Social Inclusion Strategy and Action Plan attached at **Enclosure 3** have been developed jointly with Pembrokeshire Coast NPA and Snowdonia NPA, based on the recommendations of the Social Inclusion Audit of the three Welsh National Parks carried out by Cardiff University. The Action Plan includes generic actions for the three NPAs as well as BBNPA-specific actions appropriate to its individual situation and linkages.

- a) **Financial, Staffing and Improvement implications:**
- b) **Equality Issues: This recommendation promotes equality of opportunity for excluded groups within and beyond the Park**
- c) **Sustainability Appraisal: .Social Inclusion is an integral part of the SD agenda. Therefore this recommendation supports Sustainability**
- d) **Human Rights: No implications**
- e) **Background Papers:**

“National Parks in Wales Social Inclusion Strategy and Action Plan Draft September 2005”

“Draft Social Inclusion Action Plan for the Brecon Beacons National Park Authority”

- f) **Corporate Objective:**

4. Make the Park more accessible and welcoming to a wider range of visitors through encouraging greater participation in a range of new initiatives.

5. Improve understanding of the Park’s special qualities and demonstrate the benefits of its designation to the local communities.

Recommendation: it is recommended that BBNPA adopt this strategy and action plan.

8.0 DRAFT ENVIRONMENT STRATEGY FOR WALES CONSULTATION – “OUR ENVIRONMENT OUR FUTURE – YOUR VIEWS” **Paul Sinnadurail/Clare Parsons**

A summary of the Draft Environment Strategy for Wales consultation is attached at **Enclosure 4** for members’ information. A copy of the response sent on behalf of the Authority is attached at **Enclosure 5**.

- a) **Financial, Staffing and Improvement Implications: The strategy will increase the weight attached to environmental considerations across the board, requiring this Authority to be sure that we are equal to the task.**
- b) **Equality Issues: None anticipated.**
- c) **Sustainability Appraisal: We can draw on this strategy when preparing the National Park Management Plan. We are well placed to be ahead of the game through our management plans, policies, decisions and advice. This is also appropriate in terms of recommendations from the National Parks Review.**
- d) **Human Rights: None anticipated.**
- e) **Background Papers: A full copy of the BBNPA response is appended. Officers compared notes with colleagues in Pembrokeshire Coast NP, though each Welsh Park submitted separate comments.**
- f) **Corporate Objective: 1, 10, 11**

Recommendation: To endorse the National Park Authority's response the Draft Environment Strategy For Wales Consultation – "Our Environment Our Future – Your Views"

9.0 APELDOORN APPEAL

Christopher Gledhill

Background: At this year's Europarc Conference the theme was "Our Landscapes: Space for Nature, Opportunities for People". This was based upon the implementing of the Nature 2000 initiative and the IUCN (World Conservation Union) "Countdown 2010" initiative.

Countdown 2010: This is the response to the alarming decline in biodiversity in Europe. The commitment is to 'halt the loss of biodiversity by 2010'. The United Kingdom is represented by the Department for Environment, Food and Rural Affairs (Defra). This initiative was launched in May 2004 and the UK have reconfirmed their commitment and their support of the Countdown 2010 initiative.

Apeldoorn Appeal: The Appeal (attached at **Enclosure 6**) was launched at the recent joint Europarc, Eurosite, European Environment Bureau (EEB) and European Centre for Nature Conservation (ECNC) and is designed to look at the new approach to Nature Conservation across Europe.

The appeal proposes that we need to connect:

- Nature with nature
- People with nature
- Policy with nature

As a National Park Authority charged with the administration of a protected landscape, there is much that we are already doing in these areas. For example:

Nature with Nature: we are working with colleagues and agencies across the English border on habitat management and improvements on the Hatterrall Hill.

People with Nature: Our specialists, community and education teams, and the wardens, are carrying out a wide range of initiatives across the Park with schools, visitors and local communities.

Policy with Nature: We have prepared Supplementary Planning Guidance on Biodiversity based upon our Local Biodiversity Action Plan (LBAP). There is much that we are doing already but there is more that we could be doing to keep the message alive.

Members' views are sought as to how we can further support this initiative and how the appeal can be put into practice

- a) **Financial, Staffing and Improvement implications: None at present**
- b) **Equality Issues: None**
- c) **Sustainability Appraisal: No implications**
- d) **Human Rights: No implications**
- e) **Background Papers: Apeldoorn Appeal at Enclosure 6.**

Recommendation: To seek members' views on how the National Park Authority can further support the Apeldoorn Appeal.

10.0 REVIEW OF THE MANAGEMENT OF THE BRECON BEACONS NATIONAL PARK AND THE NATIONAL PARK AUTHORITY'S LAND USE POLICIES

Helen Noble

10.1. Introduction

10.1.1 Members will be aware, through their involvement, that the Authority is working on a number of key strategic and has a statutory requirement to produce documents including the National Park Management Plan (NPMP), the State of the Park Report (SoPR) and the Unitary Development Plan

(UDP). Members will also be aware that under the Planning and Compulsory Purchase Act 2004, the Authority is charged with preparing for the Local Development Plan (LDP) and needs to develop a Community Involvement Strategy and timetable for the Delivery Agreement, which has to be reported to the Welsh Assembly Government (WAG) by July 2006.

10.1.2 Alongside these plans, the Authority has to produce a Strategic Environmental Assessment (SEA) on its plans and programmes as stated within the European Commission's SEA Directive (Directive 2001/42/EC).

10.1.3 The main purpose of this report is to inform Members of progress to date on the NPMP and the SoPR and to look at how we can establish a process to help co-ordinate our approach to SEA for both the NPMP and LDP in the most efficient and cost effective manner.

10.2.0 Progress on the National Park Management Plan and the State of the Park Report

10.2.1 At a meeting on the NPMP Working Group, held on 20 September 2005, members received a progress report on both the NPMP and SoPR.

10.2.2 The Authority has commenced on a series of consultations to help us to inform a review of the National Park Management Plan. The first stage of the consultation process for the NPMP will continue through to the end of the year, where it is envisaged that details will be collated on the special qualities of the National Park together with preparation work on the vision. During the summer, the Authority hosted a series of small facilitated discussion groups for visitors to the Mountain Centre and questionnaires were made available at a number of key sites. The website is being used extensively to positively encourage all users and non users of the National Park to have their views included within the process. A series of public notices has appeared in local newspapers and the Western Mail to direct people to our website to respond to the questionnaire. The Authority has also entered into a round of community forum meetings across the National Park. These will continue until December 2005.

10.2.3 Consultations to a diverse and as wide an audience as possible will continue via the website and in other ways throughout the lifespan of the NPMP process.

10.2.3 The working group received a draft of the SoPR. The latest version, with data included, will be circulated prior to the meeting for members' information and for them to approve the document to date. This SoPR will form the baseline information required by the SEA, to help develop the aims and objectives for the NPMP and underpin other statutory documents such as the LDP. Work continues with the collection of data and information, together with indicators, which are being gathered from both internal and external sources. The SoPR is on target to reach the final publication stage by April 2006, and a final version will be brought to Strategy and Policy Committee on 20th January 2006.

10.3.0 Adopting a Process for the Implementation of SEA on the Authority's Plans and Programmes

- 10.3.1 Members will be aware that the Authority has entered an extremely busy period in its production of strategic documents and this has had a significant impact of our ability to match our statutory obligations with the resources available. The Authority has just undertaken a three-week Public Inquiry on the UDP. There is likely to be a further round of consultation on changes made after the Inquiry before adoption at the end of 2006. The Authority also has to prepare a Delivery Agreement by July 2006, setting out the timetable for the preparation of the LDP and compile a Community Involvement Strategy, which looks at how we will engage the community in the LDP process. The SoPR is being prepared and the NPMP review has commenced. The Authority also needs to undertake a SEA and a Sustainability Assessment on the NPMP and LDP.
- 10.3.2 Under the EC SEA Directive, the Authority has a statutory obligation to undertake a SEA on any plan or programmes that have an impact on the environment. SEA offers an environmental proofing of plans and programmes and offers long-term sustainable objectives. The Directive states...*'To provide a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development... by ensuring that... an environmental assessment is carried out of certain plans and programmes likely to have a significant effect on the environment (Article 1).'* The main aim of the Directive is to achieve common Europe-wide standards of environmental policy making and, importantly, provides a toolkit for strategic environmental assessment and management.
- 10.3.3 The SEA will underpin the Authority's strategic documents and will offer a strong basis for the Authority and its partners to develop sustainable policies to safeguard the National Park.
- 10.3.4 To aid our limited resources and to help produce our statutory requirements in the most efficient and cost effective manner, we are currently looking at the possibility of combining the processes for the NPMP and LDP to produce one SEA for both plans and to continue consultation from the outset. Any proposal will require consideration by the Welsh Assembly Government (WAG) and other key partners, such as the Countryside Council for Wales (CCW). However, it would seem appropriate to look at how we can deliver these key plans for the national park in a sustainable manner, within the resources available and produce plans that will be owned by all partners, including the communities, and ensure the long-term future of the national park.
- 10.3.5 It is therefore suggested that the Authority co-ordinates the NPMP and the LDP processes to run in parallel, with the SEA sitting above and being applied to both plans. A flow chart is annexed for members' information

(Enclosure 7). Again, this is appropriate as the NPMP, with its vision, aims and objectives will underpin the land use policies within the proposed LDP.

10.3.6 It is vital that we enter and maintain discussions with WAG and CCW, both collectively with the other Welsh national park authorities and individually. CCW has already commenced engagement with the park authorities on how SEA will be introduced to our plans. It has instructed consultants to produce guidance for management planning in protected areas and this guidance will include information on meeting the requirements of a SEA. It is likely that the final version of guidance will be available in March 2006. WAG has also indicated that it would like the Authority to produce a draft NPMP by March 2006. It would be difficult for the Authority to produce a draft NPMP without considering the implications of SEA and the Authority would welcome the guidance from CCW being produced prior to any substantial work on the NPMP being undertaken.

10.3.7 However the Authority is keen to meet the targets set by WAG. It is therefore suggested that discussions be held with WAG to see whether the Authority could produce an issues and preferred options document for March 2006. This document would set out a vision, the consultation undertaken to date and options and preferred options for the NPMP and LDP. The document would form part of the Scoping Report for the SEA and be used to develop a framework for both the NPMP and LDP.

10.3.8 The process will need to be focussed and driven to ensure that we meet the tight deadlines set and to offer direction for those involved. At the meeting of the NPMP Working Group, members considered that the Group, in its present format, had reached a natural ending point. It was recommended that a steering group be formed consisting of internal and external members to help deliver the Authority's plans.

10.3.9 The steering group would consist of:

- 4 Brecon Beacons National Park Authority members (including the Chair and Deputy Chair of Strategy and Policy, and Chairman or Deputy Chair of the Authority and one other)
- 3 staff members (the Chief Executive, Head of Conservation and Community and Head of Countryside)
- 3 external members
- Independent observer

10.3.10 The external members would be from partner organisations such as CCW and the Environment Agency, which will have a key role in producing a Management Plan for the National Park as a whole. The independent observer might be from one of the other Welsh Parks or a key partner who has an interest in protected areas.

10.4.0 Conclusion

- 10.4.1 The SoPR is progressing on target and will be produced in April 2006. Work on the NPMP continues with consultations taking place. However, much of the time available for this work has been consumed in recent weeks by external events that have had a direct impact on the Authority's ability to produce its statutory plans in line with current legislation. Staff resources will continue to be a serious constraint on the NPA's ability to produce these important plans within a realistic timescale.
- 10.4.2 Members are requested to consider the recommendation made by the National Park Management Plan Working Group to set up a steering group to help drive and deliver the NPMP and LDP and undertake a SEA. This steering group will help the Authority, through partnership working, to co-ordinate the activities to deliver our statutory plans in the most efficient and cost effective manner.

a) Financial, Staffing and Improvement implications: All costs contained within budget. Staffing implications for administration of proposed Steering Group (costs already included in budget). The SoPR/NPMP will provide baseline information to set clear aims, vision and objectives for the future work of the Authority

b) Equality Issues: The consultation process for the NPMP will endeavour to incorporate as wide an audience as possible, including non-users of the National Park

c) Sustainability Appraisal: An SEA will be carried out on the NPMP

d) Human Rights: None

e) Background Papers: Draft SoPR

f) Corporate Objective: 3, 10, 11

Recommendations:

a) That members note the progress on the State of the Park Report and National Park Management Plan's consultations, and approve the draft State of the Park Report to date..

b) That members note and comment on the proposals to enable the Authority to deliver its statutory documents in line with the current legislation.

c) That the Authority engages in discussion with WAG and CCW on the appropriateness of producing an issues and options document for March 2006.

- d) *That a steering group consisting of members, as detailed in paragraph 3.9, be set up to help co-ordinate the activities and deliver the Authority's statutory plans and programmes.*

11.0 THE MANAGEMENT OF THE RECREATIONAL USE OF OFF-ROAD VEHICLES IN THE BRECON BEACONS NATIONAL PARK

Peter Tyldesley

Introduction

The use of off-road motorcycles and 4x4 vehicles in the National Park is a high profile issue. This report reviews the way in which this use has been managed to date and makes recommendations for future management.

The Present Legal Framework

There are currently 3 categories of route over which the public may have a right of way in motor vehicles:

1. Byway Open to All Traffic (BOAT): A right of way recorded on the Definitive Map that is a carriageway, and therefore a right of way for vehicular traffic, but one which is mainly used for the purposes for which footpaths and bridleways are used i.e. by walkers, horse riders and cyclists. Only 3 of these exist in the National Park.
2. Unclassified County Road (UCR): A route recorded on the list of highways maintainable at public expense but not on the Definitive Map. For the purposes of this report it will be assumed, for the sake of simplicity, that vehicular rights exist on all UCRs.
3. Road Used as a Public Path (RUPP): A term coined by the National Parks & Access to the Countryside Act 1949 to record on the Definitive Map every "highway, other than a public path, used by the public mainly for the purposes for which footpaths and bridleways are so used". The Act did not make it clear whether or not RUPPs were subject to vehicular rights. There have been two attempts, by the Countryside Act 1968 and the Wildlife & Countryside Act 1981 to reclassify RUPPs as footpaths, bridleways or BOATs depending on the rights that could be shown to exist. This process has never been completed and so there are still 263 RUPPs shown on the Definitive Map, of which a number may be subject to vehicular rights. This uncertainty is one of the reasons why it has historically been difficult to advise users where they can legally drive and usage has tended to become concentrated on a few routes where the legal status is more certain.

Proposed Changes

Section 47 of the Countryside & Rights of Way Act 2000 (the CROW Act) reclassifies all RUPPs as Restricted Byways (RB). This section has not yet come into force and no date has yet been set for it to do so. Once enacted, the public will have the same rights on RBs as on bridleways with the addition of a right of way for non-mechanically propelled vehicles.

The reclassification of RUPPs as RBs is without prejudice to the existence of vehicular rights (CROW Act s48).

The Natural Environment & Rural Communities (NERC) Bill, currently before Parliament, will extinguish vehicular rights over Restricted Byways and any routes (other than UCRs) not shown on the Definitive Map.

This means that, following the enactment of the NERC Bill, it will not be possible to claim that vehicular rights exist over a route on the basis of documentary evidence. However, it will be possible to claim that vehicular rights exist based on established use by vehicles over 20 years or more.

Section 53 of the CROW Act states that any rights of way that have not been recorded on the Definitive Map by 1 January 2026 will be extinguished.

Section 65 of the NERC Bill gives the power to National Park Authorities to make Traffic Regulation Orders (TROs) in respect of routes shown on the Definitive Map and unsurfaced UCRs.

Effect of Proposed Changes

The reclassification of RUPPs as Restricted Byways will bring greater certainty but will not, by itself, resolve the question of whether or not some of the routes carry vehicular rights.

It is possible that there will be a rush of claims to establish vehicular rights on routes by documentary evidence before the enactment of the NERC Bill. For routes where there is established vehicular use, but vehicular rights are not recorded on the Definitive Map, the enactment of the NERC Bill will act as the “challenge” to that use that triggers a claim.

In summary, whilst the long term effect of the changes to the law will bring greater certainty, in the short term there may be a large volume of claims for vehicular rights for the Authority to deal with.

Policy Background

The National Park Management Plan 2000-2005 states that:

“The NPA cannot exclude activities from the Park as a matter of principle, but there are a limited number, listed in table 10.2, that it considers to have an unacceptable

impact on the Park's special qualities and to be rarely appropriate within the setting of the National Park. Where these activities are legal, the NPA will seek to reduce their harmful effects by negotiation and by good management.”

The activities listed in Table 10.2 include the recreational use of motor vehicles off surfaced roads.

With regard to this specific activity, the Management Plan states:

“The use of recreational motor vehicles on open country is illegal unless following a route with vehicular rights, or with the landowner’s consent. The NPA considers that the unmanaged use of motor vehicles on unsurfaced routes is inappropriate in the National Park. Action is needed to protect these areas and routes from disturbance to stock and physical damage, and to enable other users to enjoy their tranquillity. Voluntary agreements, traffic regulation orders and future legislation are all options for dealing with this problem.”

The existing policy can therefore be summarised as follows:

1. It is the view of the Authority that the recreational use of motor vehicles off surfaced roads is inappropriate in the National Park.
2. Notwithstanding this basic principle, the Authority will seek to manage legal motorised use in a sustainable way through negotiation and voluntary agreements in addition to the use of Traffic Regulation Orders.

Current Management

The 2000-2005 NPMP aims to tackle the issue of vehicular use in the following ways:

Objective	Action/Target	Action by:
5. Manage recreational use of motor vehicles away from surfaced public roads	i) Campaign against illegal use of motor vehicles on open hill	Police, NPA, governing bodies
	ii) Seek new powers to manage this	NPA
	iii) Use AMPs to monitor unsurfaced tracks and determine need for maintenance and management	HAs, NPA, NT, governing bodies, users
	iv) Produce advisory leaflet for off-roaders in Plan period	Governing bodies, NPA, HAs
	v) Find sites outside the Park for off-road motor-cycling	UAs, SCW, governing bodies

To date, considerable time and effort has been invested in taking enforcement action against illegal off-roading in partnership with the Police and other agencies. The campaign has sought both by direct action and media coverage, to put across the message that illegal use of motor vehicles in the National Park will not be tolerated. This will continue.

An advisory leaflet has been produced in association with some of the governing bodies for the activities concerned. The leaflet takes the form of a code of practice and contains no information on where legal routes exist.

The Area Managers and Rights of Way staff monitor the condition of unsurfaced tracks. This information is relayed to the highway authorities where the routes are unclassified county roads that are not the responsibility of BBNPA to maintain. To date, there has been little joint working with users or the governing bodies.

Working with the Users

During the past 12 months, discussions have taken place between BBNPA Officers and the governing bodies/user groups such as The Motoring Organisations' Land Access and Recreation Association (LARA), the Trailriders' Fellowship (TRF) and the Green Lane Association (GLASS). Members of these organisations participated in the enforcement/education day in September. On 29 September a meeting was held between the Chief Executive of BBNPA and Powys County Council, the Police Divisional Commander and representatives of GLASS to discuss the management of off-road vehicles in Powys.

Over the weekend of 29/30 October, a team of volunteers from GLASS worked with the Central Area Wardens to repair damage on a route on Mynydd Illtud, adjacent to the National Park Visitor Centre. In addition to the manpower and vehicles that their members were able to provide, GLASS has been instrumental in obtaining funding from Powys County Council towards the cost of the work. Bodies such as GLASS are keen to work with us on the sustainable management of vehicular routes.

It is important to stress that a willingness to work co-operatively with legal users does not represent a softening of our position in respect of illegal and anti-social off-roading. We will continue to work with the Police and other agencies to educate the public and clamp down on offenders.

However, by engaging with the legal users and their representative bodies we stand to gain the following:

- Access to manpower, equipment and possible funding for maintenance work.
- A greater element of self-policing by users and willingness by legal users to educate or report to the Police those who act illegally.

- A policy of restraint by users in the bringing of claims for vehicular rights. LARA has developed a system of Sustainability Assessment Criteria to ensure that claims are not brought in respect of routes that cannot sustain vehicular use.

The Lake District Approach

Attached to this report at **Enclosure 8** is an article from Countryside Recreation journal on the management of recreational vehicle activity in the Lake District.

In summary, the approach adopted is a partnership between the Lake District National Park Authority, Cumbria County Council, the Parish Councils and the users and their governing bodies. There are six strands to the management scheme:

- Colour coded classification of routes and voluntary restraint
- Monitoring of levels of vehicular use
- Monitoring route condition
- Maintenance
- Traffic Regulation Orders – restricting rather than prohibiting use
- Raising awareness

The Lake District National Park Authority maintains the policy view in its Management Plan that vehicular use is inappropriate, whilst pursuing a policy to:

“work with relevant users, landowners and managers to manage recreational pursuits, resolve conflict, encourage responsible use and promote appropriate guidance”

LDNP Management Plan 2004-2009

Future Management in the Brecon Beacons National Park

The issue of off-road recreational vehicles is not going to go away. The Authority has already had a degree of success in tackling illegal vehicular use and these efforts will continue in partnership with the Police.

The development of off-road centres, probably outside the Park, needs to be pursued. These centres will cater for motorcycle scrambling, moto-cross and “mud-pluggers” who want to test their 4x4 vehicles to the limit. This is an issue that needs to be pursued with the Heads of the Valleys Partnership, as there may be sites with good road access in this area that will be suitable for this type of development.

However, the development of centres will not cater for those people whose interest is in following linear routes through the countryside. There needs to be a development of existing partnership working to ensure that responsible off-road enthusiasts can pursue their interests legally and in a way that

minimises both damage to the environment and disturbance to other users of the countryside.

- a) **Financial, Staffing and Improvement Implications:** Staff are already heavily involved in the management of off-road vehicular use. There will be an additional commitment of time to greater partnership working. The benefits include minimising spurious claims for additional routes and the ability of partners to bring in additional human, material and financial resources.
- b) **Equality Issues:** It has been argued that off-road driving provides access to the countryside for people who are not able to gain access in other ways.
- c) **Sustainability Appraisal:** The commitment of resources to repairing damage caused by vehicles is not sustainable. The aim is sustainable management of routes.
- d) **Human Rights:** Any attempt at a total ban of vehicles could be challenged on human rights grounds. The approach recommended has no human rights implications.
- e) **Background Paper:** National Park Management Plan 2000-2005, CROW Act 2000, NERC Bill.

Recommendations:

The Authority's approach to the management of the recreational use of motor vehicles away from surfaced roads should take the following forms:

- a) **A policy statement that off-road vehicular use is generally inappropriate in the National Park and that the Authority will work in partnership with relevant agencies to educate the public about the damage and disturbance that it can cause.**
- b) **A commitment to continue to work with the Police to take enforcement action against illegal and anti-social off-roading.**
- c) **A commitment to encourage the development of sites where off-road driving activities of a centre-based nature can take place. It is unlikely, although not impossible, that this type of development will be appropriate within the National Park.**
- d) **A commitment to work in partnership with legal users and their representative bodies to develop a regime for the sustainable management of the network of routes where the legal right to use vehicles exists along the lines of the Hierarchy of Trail Routes in the Lake District initiative.**

12.0 COMMONS IN THE BRECON BEACONS NATIONAL PARK

Paul Sinnadurai

Members are asked to consider a draft position statement for the National Park Authority attached at **Enclosure 9**. A verbal report on the background to this will be given at the meeting.

- a) **Financial, Staffing and Improvement implications: None anticipated**
- b) **Equality Issues: None**
- c) **Sustainability Appraisal: Statement supports the sustainable management of commons**
- d) **Human Rights: None**
- e) **Background Papers: None**
- f) **Corporate Objective: 1**

Recommendation: *To endorse the position statement on commons in the National Park.*

13.0 SOUTH WALES REGIONAL AGGREGATES WORKING PARTY: REGIONAL TECHNICAL STATEMENT OPTIONS AND ISSUES

Ruth Brown

14.1 Context

- 14.1.1 The background to this report is found in Annex A of the Minerals Technical Advice Note (Wales) 1. Aggregates (MTAN 1). This charges the South Wales Regional Aggregates Working Party (SWRAWP) with providing a 5-yearly Regional Technical Statement (RTS) setting out a strategy for the provision of aggregates in the region, to be completed by September 2006. The Brecon Beacons National Park Authority is a minerals planning authority, along with the other National Park and Unitary Authorities in Wales, and is represented on the SWRAWP. Work has started on the preparation of the RTS, steered by a Members Forum on which the National Park Authority is represented by Cllr Alan Breeze. The RTS will be subject to strategic environmental assessment, health impact assessment, and appropriate public consultation.
- 14.1.2 The present pattern of mineral supply in the region is largely based on the historic distribution of quarries and other sources of aggregate minerals. MTAN 1 seeks a more sustainable way of minerals planning, taking into account the environmental capacity for mineral extraction of each minerals planning authority's area, the possibility of alternatives to road transport, the

maximisation of use of recycled and secondary aggregates and the efficient use of high quality stone.

14.1.3 As part of the development of the RTS, Minerals Planning Authorities are now being consulted on two documents: the issues that the RTS should address, and options for meeting the need for aggregates in the region. Members are asked to resolve which of the options in section 2 they would support, and to make comments if they wish on the issues set out in section 3.

14.2. Options for meeting the need for aggregates in South Wales

14.2.1 The need for aggregates in Wales is not likely to change significantly over the next five years, although it will become progressively more difficult to increase the use of construction and demolition waste as aggregate. Hence, any chosen option is unlikely to take effect for a minimum of 5 years. Three options have been put forward for consideration.

OPTION 1

This option comprises the current situation, against which more sustainable options can be compared.

- (i) continue hard rock extraction from existing sites
- (ii) continue land based sand and gravel extraction from existing sites.
- (iii) continue marine sand and gravel extraction from existing sites, accepting that the extraction of resources in deeper water may not be acceptable,

and

- (iv) continue with existing levels of construction, demolition, and quarry waste usage as a substitute for primary aggregate.

2.1.1 This option involves the continuation of long established practices, which are now considered unsustainable and contrary to objectives in MTAN 1. Hard rock extraction would be allowed to continue indefinitely in areas which may be demonstrating 'over capacity' by virtue of serious landscape impact, heavy traffic generation, serious blasting etc. It would allow potential adverse health impacts to continue. The level of use of construction and demolition waste and secondary aggregates would not increase.

OPTION 2

- (i) minimise the amount of hard rock extraction, and plan for current working in areas defined as being 'over capacity' to move to less environmentally sensitive areas.
- (ii) maximise the use of secondary aggregates.
- (iii) maximise the use of construction and demolition waste.
- (iv) maintain marine sand and gravel supplies at current levels subject to environmental capacity being okay.
- (v) maintain land based sand and gravel supplies at current levels subject to environmental capacity being okay.

- 2.2.1. This option acknowledges the objectives of MTAN I in that it seeks to provide sufficient supplies of aggregate to meet demand but from sustainable sources which minimise impact on the environment.
- 2.2.2 (ii) and (iii) Most 'useable' construction and demolition waste is already being utilised, but some secondary aggregates such as blast furnace slag and power station pulverised fuel ash are under-used. Factors such as the location of the source in relation to potential markets may inhibit wider use without significant investment in infrastructure.
- 2.2.3 (iv) assumes that existing tonnages of marine sand and gravel supplies can be maintained from the licensed dredging areas without unacceptable environmental impact, or that applications to exploit resources further out in the Bristol Channel are approved. The former is unlikely, and the latter would involve significant investment in shipping and port facilities. Applications to work some of these resources are currently under consideration.
- 2.2.4 (v) Currently, land based sand and gravel supplies are primarily located in West Wales and serve local needs.

OPTION 3

- (i) minimise the amount of hard rock extraction, and plan for current working in areas defined as being 'over capacity' to move to less environmentally sensitive areas, as 2(i)
- (ii) maximise the use of secondary aggregates, as 2(ii)
- (iii) maximise the use of construction and demolition waste, as 2(iii)
- (iv) reduce marine sand and gravel supplies
- (v) increase land based sand and gravel supplies where appropriate.
- 2.3.1 3(i) – 3(iii) are the same as 2(i) – (iii) above because they are core objectives of MTAN I.
- 2.3.2 (iv) There are constraints of both cost and environmental acceptability on the development of new marine sand and gravel supplies. Reduced production from this source would require one or a combination of the following: -
- a) new land based sand and gravel supplies in South East Wales or
 - b) greater substitution of sandstone fines or
 - c) imports of land based sand and gravel from England.
- a) Financial, Staffing and Improvement implications: None.**
- b) Equality Issues: No implications.**
- c) Sustainability Appraisal: No implications.**
- d) Background Papers: None.**

e) **Human Rights: No implications.**

Recommendation: *That members endorse Option 2, which involves maintaining marine and land based sand and gravel supplies at current levels, subject to acceptable environmental capacity.*

14.0 SOUTH WEST WALES REGIONAL WASTE GROUP REPORT ON HAZARDOUS WASTE

Ruth Brown

The South West Wales Regional Waste Group has produced a supplement to the Regional Waste Plan, reporting on the wastes that are classed as hazardous that are produced in the region (which includes the Carmarthenshire part of the National Park), and how these are dealt with. All the authorities in the region are being asked to endorse this report.

The Brecon Beacons National Park Authority is not responsible for dealing with waste. Very little hazardous waste is produced in the Park and none is disposed of here. Within the Carmarthenshire part of the Park, there are not even any waste collection or transfer facilities.

This report identifies a need for more recycling and treatment facilities for hazardous waste in Wales, and for better data to inform decisions about where these should be. There are no proposals for new hazardous waste facilities in the Park, nor are there likely to be any in the foreseeable future. The report will therefore have no effect on the Park.

a) **Financial, Staffing and Improvement implications: No implications.**

b) **Equality Issues: No implications.**

c) **Sustainability Appraisal: No implications.**

d) **Background Papers: South West Wales Regional Waste Group Report on Hazardous Waste. A copy of the report is available in the Members' Room for information.**

e) **Human Rights: No implications**

Recommendation: *That members endorse the report.*

15.0 THE PROTECTION OF DRYSTONE WALLS

Peter Tyldesley

The Problem

There is increasing evidence in the Park of traditional drystone walls either being allowed to fall into disrepair or being dismantled to salvage the stone for reuse or sale.

The Importance of Traditional Field Boundaries

Drystone walls can be of great historical significance in that they may follow early estate and/or parish boundaries, contain relict features from even earlier boundaries or indicate an earlier landscape feature. Walls can provide nesting places for certain birds, they provide winter habitat for great-crested newts and they are a significant habitat for many mosses and lichens. In addition, traditional walls represent the cultural heritage of the area.

Legal Protection for Walls

At present, there is no legal protection for walls comparable to that for traditional hedgerows. DEFRA carried out a consultation exercise in 2003 on the protection of countryside boundary features and amendment of the Hedgerows Regulations 1997. Their response to the consultation has yet to be published. Many individuals and organisations used the consultation exercise to lobby for the protection of traditional walls.

Grant Aid for Building and Repairing Walls

Grant aid is available through Tir Gofal for building and repairing drystone walls. However, as Tir Gofal is a whole-farm scheme, the complexity of this may deter potential applicants. Other National Park Authorities have operated their own grant schemes (up to 80% grant in the Peak District). However, the rules on the provision of state aid and the current resourcing situation preclude this option in BBNP at the present time.

Traditional Boundaries and the Single Payment Scheme

As part of the cross compliance requirements for claiming payments under the SPS, farmers are required to keep their land in "good agricultural and environmental condition" (GAEC). The removal or destruction of stone walls, stone faced banks, hedges, stone gate posts and traditional stiles is not allowed and contravention may lead to loss of subsidy payments. This is currently the only significant tool in the prevention of further loss of drystone walls.

- a) **Financial, Staffing and Improvement Implications: None**
- b) **Equality Issues: None**
- c) **Sustainability Appraisal: The disappearance of traditional walls through neglect and sale or theft of materials is not sustainable.**

- d) **Human Rights: None**
- e) **Background Papers: None**
- f) **Corporate Objective**

Recommendation: That Members note the contents of this report.

16.0 OTHER BUSINESS

Such other business as is, in the opinion of the Chairman of such urgency as to warrant consideration.

SCHEDULE OF CORRESPONDENCE

1. To receive apologies for absence
2. Such other correspondence as, in the opinion of the Chairman, is of such urgency as to warrant consideration.