



CAERPHILLY LOCAL ACCESS FORUM

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON FRIDAY, 15TH MARCH 2013 AT 10.00 A.M.

PRESENT:

William Lindsay - Chairman
Garry Lewis - Deputy Chairman

Barry Clarke, J.R. Davies, Keith Donovan, Andrew Edwards, Roger Evans, Robert Jones,
David Parry, Maggie Thomas and Nigel Yates.

Together with:

Norman Liversuch (Secretary to the LAF & Manager Countryside & Landscape Services),
Philip Griffiths (Asst. Secretary and Principal Planner), Andy Powell (ROW & Countryside
Access Officer), June Piper (CROW Support Officer), Sharon Kauczok (Committee Services
Officer).

1. DECLARATIONS OF INTEREST

Andrew Edwards declared an interest in agenda item 7 - LAF's and Glastir.

2. WELCOME AND APOLOGIES

The Chair welcomed Roger Leek (Leek & Weston) and David Mason (Planning Manager,
Miller Argent) who were attending in respect of agenda item 6.

Apologies for absence had been received from Glyn Davies, Sylvia Dolbear, Byron Grubb,
Elaine Gwynne, Lorraine Howells, Councillor Ken James and Alison Palmer.

3. MINUTES

The minutes of the meeting held on 7th December 2012 were confirmed as a correct record.

4. MATTERS ARISING FROM THE MINUTES

Agenda item 5

It was confirmed that the Common Sense Exhibition had now been launched.

Agenda item 7

It was noted that the summary paper from CCW had not yet been received. Norman agreed
to pursue this matter.

Agenda item 10

It was noted that the meeting with the Police to discuss off road activities in the County Borough had not yet taken place, having been postponed on three occasions.

5. NANT LLESG - PRESENTATION ON THE PROPOSAL FOR OPENCAST COAL MINING NEAR FOCHRIW

The Forum welcomed Roger Leek (Leek and Weston) and David Mason (Planning Manager, Miller Argent) who were attending the meeting in order to brief the Forum on the proposal for an opencast coalmining scheme at Nant Llesg in the Upper Rhymney Valley.

Mr Mason began by outlining the background to the scheme and the extent of the consultation process. Newsletters had been circulated to approximately 5000 local residents and stakeholders advising them of the proposals. A community forum had been established and public exhibitions and stakeholder workshops had been held. A series of meetings and briefings had taken place with residents' associations and community councils.

The scheme would be undertaken over a period of circa 14 years followed by 5 years aftercare. Temporary alternative grazing/access land would be provided at the outset. On completion of the site the common land within the operational area would be restored and returned to common.

Issues that had been raised during the consultation process included concerns regarding the proximity of operations to the surrounding community; visual impact; health; jobs and training; community benefits; noise and dust; concerns for existing businesses; access to common land etc. Adjustments had subsequently been made to the scheme, as a result of comments received and these were outlined during the presentation.

The Forum then received details of the proposed community benefits. These included the creation of new jobs and training opportunities; a local boost to the economy; a community benefit fund; the removal of shafts and adits; reduction of mine water pollution of the River Rhymney; prevention of silting up of Parc Cwm Darren Pond; road junction improvement; a clean up of existing waste facility on site and a comprehensive restoration strategy.

A question and answer session ensued at the end of the first part of the presentation and further information was sought on the consequences for wildlife in the area. The Forum was advised that the Company would be making improvements to wildlife habitats where possible. Work would be undertaken outside the nesting season in order to avoid disturbance to lapwings. Further details would be included in the ecological assessment and Members were encouraged to examine this at the planning application stage. Assurances were sought in terms of the remediation of the site in the event of the Company being unable to fulfil its commitments. It was reported that it was usual practice for an Authority to require some sort of restoration bond to be negotiated as part of the planning application.

Roger Leek of Leek and Weston Ltd then introduced the second part of the presentation, which focussed on the Common Land Application. Reference was made to the common land affected by the scheme. A total of 338 hectares (Ha) of Gelligaer and Merthyr Urban Common lie within the application boundary of which 23 Ha have been occupied by Cwmbargoed Disposal Point since 1957. 315 hectares would therefore be affected by Nant Llesg i.e. 201 Ha for circa 19 years and 114 Ha for up to 2 years. The public have right of access for air and exercise on foot and on horseback and such rights of common would be suspended as necessary during the scheme. On completion of the scheme the common and public access rights would be reinstated.

As required by MTAN2 a Section 38 application will be made under the Commons Act 2006 for works on common land. Although there is no requirement to provide 'replacement land' it

is recognised that the rights over a large part of the affected common land would be suspended for circa 19 years and therefore areas for temporary grazing/public access purposes for the duration of the project have been identified. Miller Argent is undertaking extensive informal consultations prior to submitting the Section 38 application. Community/stakeholder engagement will take place and the application will be advertised in the local press. Formal consultations will be undertaken by the Planning Inspectorate.

Discussion then ensued on the areas of temporary grazing/public access land and a member of the Forum sought clarification in relation to the type and number of access points that would be provided on the land. The Forum was advised that stiles will be installed around the boundaries and signs erected to inform the public that they can access the land. It was agreed that this issue would be included in the list of comments received from the Local Access Forum.

Mr Leek then presented details of the areas of Temporary Public Access Land. Area 7 lies to the southwest of Pontlloftyn and to the east of Fochriw. The area mainly comprises good quality semi-improved and improved grassland and can be accessed from existing common land. Area 8 lies between the A469 and the access track/road across the common running south from Pontlloftyn. The area would provide 58.65 Ha of temporary public access land for the duration of the project. Area 9 comprises land lying immediately north of the existing Merthyr Common and on restoration of the Nant Llesg site, could be put forward for registration as permanent common land. Area 11 would provide 25.34 Ha of temporary grazing and public access land for the duration of the project and Area 12 would provide 49.63 Ha of temporary grazing and public access land for the duration of the project. Area 14 is a disused railway cutting that is currently occupied by an inert landfill site. On restoration of the site the area could be put forward for registration as 5.35 Ha of permanent common land.

In concluding, Mr Leek outlined the perceived benefits i.e. Areas for temporary grazing land for circa 19 years; additional public access opportunities - temporary access land and new linear recreational routes; landscape benefits from the remediation works, which would also make safe existing shafts, adits and collapsed mine workings; Remediation works would also provide features to enhance ecological value and the cultural heritage by restoring and managing archaeological and historic features.

Once the programme of after care is complete, the rights of common and public access would be restored. In addition, the landscape, ecological, historical and recreational benefits provided in the early years of the project would remain in place for the benefit of the local communities and visitors to the area.

The Chairman thanked Mr Leek and Mr Mason for their very informative presentation and sought clarification on the deadline for receipt of comments on the proposed scheme and timescale for submission of the planning application. Mr Leek responded that it would be very helpful to have the Forum's views within the next two - four weeks in order that they could be incorporated within the planning application if appropriate. It was agreed that a copy of the presentation and summary documentation would be sent to all members of the Forum. Further consideration as to the manner in which the Forum could collate and present their views on the proposed scheme would be discussed at the end of this meeting.

6. LAF'S AND GLASTIR

Andrew Edwards declared an interest in this item.

The Chair outlined the key issues referred to at a recent LAF Chairs' meeting in connection with Glastir. Copies of a briefing note for Local Access Forums, dated February 2012, prepared by Jane Tibbott, Senior Tir Gofal Project Officer on the Glastir Targeted Element and Glastir Woodland Management Scheme - Permissive Access, had been circulated to all members of the Forum. The notes included an explanation of what LAF's should do to review

their maps.

Discussion ensued on the Glastir Targeted Element (TE) application process and the criteria for eligibility. Each eligible farmer can express an interest in TE on their annual single application form. Each farm will be assessed for its ability to deliver against the outcomes that the Welsh Government is seeking, linked to the Targeted Maps. Each farm will be scored based upon the range and scale of delivery that can be achieved on that farm i.e. the score is calculated for each farm based on the number of Targeted Areas on the farm. The more targeted areas on the farm the higher the score. Different Target Areas attract different scores dependent on Welsh Government priorities. Maps showing the location of the targeted areas are available at www.wales.gov.uk/glastir.

Further clarification was sought on the eligibility criteria and it was suggested that Glastir should be a permanent item on the agenda for LAF meetings. It was also proposed that Jane Tibbott be invited to a Forum meeting to explain what is required from LAF's in terms of Glastir and that the Regional Glastir Officer be invited to update the LAF on Glastir every year.

7. CODE OF CONDUCT FOR MULTI USE ROUTES

Reference was made to a draft document, which had been drawn up by Denis Murphy a member of the Brecon Beacons National Park Authority Local Access Forum outlining a possible code of conduct that would assist in providing user groups with a safe and enjoyable experience when using public access routes. Copies of the paper had been discussed at the recent LAF Chairs' Conference and subsequently circulated to all members of the Forum.

The government has mandated local authorities to draw up maps that show up to date access routes for use by the general public. In many cases such routes could be or are shared by different types of users such as hikers, dog walkers, horse riders, cyclists, runners and family groups. Shared use routes are not suitable for speed and the majority of instances of conflict that have occurred in parks and elsewhere have involved cyclists who tend to be the fastest movers on these paths.

8. LAF CHAIRS' CONFERENCE

The Chair briefed the Forum on the key issues raised at the recent LAF Chairs' Conference. Assurances had been received from National Resources Wales, the new body replacing CCW, the EA and Forestry Commission that access will continue to be a statutory commitment. It was Officers' understanding that LAF's would now advise the new body and Welsh Government.

The next item referred to at the conference had been 'Tranquil Urban Green Spaces' - a grant scheme to make improvements in environmentally deprived urban communities focusing on air quality, environmental noise and tranquil green space. The aim is for everyone to have access to a tranquil area. Reference had then been made to the Travel Bill and its impact on existing rights of way and ROWIP funding for next year and the uncertainty of future funding. The Chair advised that it was intended to undertake a review of ROWIP funding to monitor how the money is being used. Concern had also been expressed at the conference at the possibility of the CROW Act being repealed and that the statutory role of LAF's would cease to exist. It was noted that the coastal path had received two years funding and an update on CROW access was received.

Reference was then made to 'obstruction free walks' and the importance of bearing in mind the number of registered disabled people in Wales when making decisions on this matter. Finally discussion took place on LAF working practices, which highlighted how differently LAF's are run in some areas.

10. VOLUNTEERS' INVOLVEMENT IN ACCESS WORK

Andy Powell gave an update on this matter. It was noted that there are two established groups of volunteers who assist with access issues within the county borough. The group based in Rudry consists of 10-12 volunteers who are involved with other community matters. The group meets up every quarter to assist with access projects and is also looking at organising a Walking Festival at the end of May. The second group in Islwyn, which has been running for 12 months, meets on the first Monday in the month. It is primarily focussed around the Crosskeys area. Officers are currently trying to encourage more volunteers to participate in order to cover other areas in the county borough.

It was reported that GAVO has a volunteer centre in Ystrad Mynach and would welcome the opportunity to advertise volunteering opportunities and put people interested in outdoor volunteering opportunities in touch with Andy. In addition, reference was made to the possibility of the Ruperra Conservation Trust being interested in assisting with relevant projects.

11. FUNDING

It was noted that the full allocation of ROWIP funding for 2012-13 in the sum of £50,423 had now been expended. Funding for 2013-2014 was greatly reduced in the sum of £36,344.

One of the aims last year had been to increase the number of DDA projects and over 50% of the allocation had been spent on replacing as many stiles with gates as possible. Other projects undertaken included the replacement of steps with a ramp; a new path at Aberbargoed Grasslands Education Centre; improvement works to the Rhymney Riverside Walk; the installation of a ramp at Bedwas River Bridge, together with bridleway and footpath improvements etc. Andy agreed to provide Barry Clarke with a list of the works undertaken.

The LAF then received an update on other funding bids from Phil Griffiths. Phil advised that the HoV bids for Aberbargoed National Nature Reserve and Parc Cwm Darren had been successful. The Department had also submitted a successful bid for funding from the Tranquil Urban Green Spaces grant scheme and an application had been submitted to the Big Lottery fund for work in the Upper Sirhowy Valley. The first stage of this application had been approved but unfortunately the application relating to the training programme for apprentices had not been successful. The focus for next year was on Twmbarlwm and Mynydd y Maen. A working group had been established to look at improving access issues.

A meeting was due to take place later in the day in relation to the next round of European funding and it seemed that this year the emphasis would be on more strategic types of issues e.g. links to urban cycleways which officers believed could result in the need to have an Engineering representative involved during the next round of funding.

12. ANY OTHER BUSINESS

Open Cast Coal Mining, Nant Llesg

Further discussion took place on how the Forum could collate and present their views on the proposed replacement land provision within the required timescale. It was agreed that arrangements would be made for members of the Forum to meet and travel to the site to view and comment on the proposals.

The Forum would need to consider whether the proposed replacement land is satisfactory in terms of its size, its location and how useable/accessible it is in comparison to what is being lost. Following the site visit the group would assemble at a venue to be determined to formulate the views they wished to present to Miller Argent as part of the informal consultation

process. The formal consultation process would take place when the planning application is submitted and the Forum would have another opportunity to comment at that stage.

Natural Resources Wales

Members were reminded that Natural Resources Wales, which replaces the Environment Agency, the Countryside Council for Wales and the Forestry Commission, comes into being on 1st April 2013. Norman did not envisage any significant changes in terms of the LAF and would send copies of a Newsletter he had recently received to members of the Forum following this meeting.

13. DATE AND TIME OF NEXT MEETING

Details of the arrangements for the next meeting, scheduled for June 2013, would be sent to members of the Forum as soon as they have been finalised.

The Chair thanked everyone for their attendance and contributions and closed the meeting at 12.45 p.m.