



CAERPHELLY LOCAL ACCESS FORUM

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH, ON
FRIDAY 1ST MARCH 2019 AT 10.00 A.M.

PRESENT:

W. Lindsay - Chair

Councillor N. George (Cabinet Member for Neighbourhood Services) - Vice-Chair

M. Benjamin, B. Clarke, K. Donovan, A. Palmer, M. Thomas. N. Yates

Together with:

P. Griffiths (LAF Secretary/Green Space Strategy and Cemeteries Manager), A. Fleming (Countryside and Rights of Way Officer), R. Barrett (Committee Services Officer)

Also present:

M. Ward (Ranger for Merthyr and Gelligaer Common) – part of meeting

1. APOLOGIES

Apologies for absence were received from G. Davies, A. Edwards, E. Gwynne, L. Howells, S. Rajoo, R. Stones and Councillor W. Williams, together with S. Denbury (Countryside and Rights of Way Assistant), S. Tindall (Natural Resources Wales) and C. Deller (Welsh Government).

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. MINUTES - 7TH SEPTEMBER 2018

The minutes of the meeting held on 7th September 2018 were approved as a correct record.

4. MATTERS ARISING FROM THE MINUTES

Minute No. 4 (Matters Arising) – it was noted that the briefing on the Countryside Access Management System would be presented later.

Minute No. 5 (Chair's Update Report) – LAF were advised that partnership project feedback has been received on the development of Cambrian Way. A Member stated that she had learned of Coopers Yard in Crosskeys being closed for the next few months due to tree felling, and the Group discussed whether the route had since reopened. An update was sought in respect of progress on the Cambrian Way project at Machen which Mr Griffiths (LAF Secretary/Green Space Strategy and Cemeteries Manager) outlined to LAF.

Minute No. 13 (Any Other Business) - It was noted that the Local Toilet Strategy had been drafted and that the proposals were available to view on the Council's website.

5. PROPOSALS – MERTHYR AND GELLIGAER COMMON

Mark Ward (Ranger for Merthyr and Gelligaer Common) was welcomed to the meeting, and gave a presentation on the work being carried out to maintain and improve the appearance of the common.

Mr Ward displayed a map of the common and a number of photographs showing longstanding problems with fly-tipping and littering, illegal off-road vehicles and abandonment of horses across the common. LAF's attention was drawn to the four pieces of legislation that underpin common land law.

Mr Ward gave a detailed overview of work that has been undertaken to facilitate these improvements. These include a long period of partnership building, mapping of fly-tipping sites, ad-hoc and monthly scheduled litter picks, the establishment of a volunteer group, awareness raising of the common and the issues experienced, working with local schools (including photo projects and poster competitions) and community clean up events.

The Local Access Forum (LAF) were advised of the Sustainable Management of Natural Resources (SMNR) which should include considerations regarding scale, duration and multiple benefits. Further to this, actions need to consider the Commons Act 2006 and in particular Section 38. This is a very structured process which mirrors the planning application process, and includes informal consulting with owners, graziers, the local authority, Natural Resources Wales (NRW), CADW, OSS, and the submission and advertising of an application.

A LAF Member asked if informal consultation had been carried out with the Open Spaces Society. Mr Ward confirmed that the presentation being given to LAF forms part of the ongoing consultation with the relevant agencies.

Mr Ward outlined habitat improvements across the common, including the planting of trees to shelter wildlife. He highlighted antisocial behaviour reduction measures being implemented, including the identification of a "red route" to tackle popular areas of use by off-road motorcyclists.

Mr Ward referred to the pressures being placed on both Merthyr and Caerphilly Councils in tackling these ongoing problems. A LAF Member asked if it would be possible to place a levy on Council Tax in order to address fly-tipping. Mr Griffiths explained that fly-tipping is a national problem and discussion took place regarding the processes undertaken by Caerphilly Council to address the problems in their county borough. Mr Griffiths explained that the Council have made a number of successful prosecutions but that these take time, and that the measures being undertaken should help to improve the situation.

LAF discussed the need for cultural change and improved education in respect of fly-tipping. Mrs Palmer (GAVO) observed that education starts from an early age and suggested that it could be helpful to approach the wide range of networks in the area with a view to improving education in respect of fly-tipping. LAF agreed that this approach could be of benefit and confirmed that they were happy for Mrs Palmer to make some initial enquiries in this regard following the meeting.

LAF Members suggested a number of mechanisms to counteract flytipping in problem areas, including the potential for sectioning off areas of the common. It was noted that sectioning measures have been recently trialled, along with a host of other techniques for which a high level of support has generally been received. However, LAF were reminded of the need to take a measured approach in order to balance the right of the public to enjoy the common. LAF Members discussed the methods of investigation that are used to identify fly-tipping perpetrators and also suggested the use of CCTV in problematic areas

It was noted that the majority of flytipping culprits are repeat offenders and a Member asked if a database could be set up to send warnings to suspected flytippers. Mr Griffiths explained that tradesmen need a waste carrier licence to dispose of their waste and the issue being experienced is with unlicensed carriers. Mr Ward outlined a previous initiative between Gwent Police and South Wales Police to halt those trade vehicles carrying waste and request a copy of their licence. However this had been discontinued due to a lack of resources. LAF expressed a need for positive action to be taken in respect of flytipping in view of the blight on the landscape and the potential to negatively affect tourism in the area. They also spoke of the need to publicise prosecutions to act as a deterrent to others and raise awareness of flytipping as a national problem

Having discussed and considered the item in full, LAF thanked Mr Ward for attending and for his detailed and informative presentation. Mr Ward thanked LAF in turn for the invitation and then left the meeting.

6. CHAIR'S UPDATE REPORT

The Chair gave an update in respect of the November 2018 meeting of LAF Chairs. He had been accompanied to the meeting by Andrew Fleming (Countryside and Rights of Way Officer) and stated that he had found it a useful session with a number of varied topics of discussion.

The LAF Chairs discussed the WG Review of Developing Access Issues and also the Area Statement arising from the Wales Act 2016. Natural Resources Wales were present at the meeting and presented data to be implemented in relation to the new legislation. There are seven Area Statements in total, including 6 on land and one at sea. The LAF Chairs discussed the inclusion of forestry plantations and expressed concerns surrounding the bureaucracy associated with inclusion of this area. There are challenges in reaching balanced views, given the need to take environmental interests into account.

The LAF Chairs received an update from NRW in respect of their ongoing Organisational Update Restructure. The LAF Chairs expressed concerns in regards to the changes and the potential to lose valuable contacts. They observed that NRW are both a regulatory and delivery body, which could present a potential conflict of interest.

Progress in respect of the regional Rights of Way Improvement Plan was discussed at the LAF Chairs meeting. A number of new elements were highlighted, including a delivery plan to improve flexibility of the Improvement Plan. There is a potential to identify different options in the plan, and it has been acknowledged that there is a need to focus on public need and the improvement of public health and not just the needs of current user groups. There is an expectation that the percentage of Rights of Way will fall as a result of the new Plan. The Chair expressed the importance of LAFs having involvement in the delivery plan, particularly given the myriad of subjects to be included, such as public Rights of Way, NRW-managed land, the Countryside and Rights of Way Act 2000, and traffic regulation orders. The need to have the least restrictive access approach was discussed between the LAF Chairs and a suggestion was made that too many orders being made, or it is a case of these finishing early but not being communicated to local authorities.

A LAF Member expressed the need for improvements to forestry felling maps to be made and stated that the line of Rights of Way are not always clear on these maps. Mr Griffiths explained that this has been acknowledged as an ongoing issue. In response, Mr Fleming and Mr Griffiths gave a detailed overview of the planning and technical processes that are undertaken to ensure that developers are adhering to the rules and regulations in respect of public rights of way and that diversions are properly implemented. Mr Fleming also outlined the communication process between himself and his colleagues when they become aware of a potential need for ROW diversions, so that any required action can be implemented at an early stage.

It was noted that during the afternoon session, LAF Chairs received a presentation from Julian Atkins (Brecon Beacons National Parks), who outlined the challenges and pressures in running this sizeable tourism attraction. Mr Atkins highlighted the need for the public sector to take a more commercial approach, and for more investment and sponsorship in the context of diminished resources.

During the meeting, the LAF Chairs also discussed staffing changes across a number of LAFS and suggested that it would be useful for LAF Secretaries to liaise with NRW in advance of the meeting in order to be briefed on the topics for discussion. LAF Chairs suggested a central contact point for each LAF and also recommended revisions to the process for the appointment/reappointment of LAF Chairs.

Following consideration and discussion, LAF noted the contents of the update report from the Chair.

7. GREEN INFRASTRUCTURE STRATEGY

Mr Griffiths gave an update on the progress surrounding the drafting of the Strategy since the last meeting of the LAF. The ongoing draft Strategy now includes a greater level of detail and places an emphasis on landscape and land usage across the county borough. Mr Griffiths confirmed that he has viewed a prototype of the draft Strategy and that the draft will be completed by the next LAF meeting in June 2019.

LAF noted the details of the update in respect of the Green Infrastructure Strategy.

8. RIGHTS OF WAY IMPROVEMENT PLAN

Mr Fleming presented an update in respect of Caerphilly's Rights of Way Improvement Plan. He explained that the current version of the Plan is still being adhered to as progress on the new version has been slow to date. Due to the detail associated with the Plan, it will take time to collate the information together in the correct manner. Officers are working to Local Development Plan and Rights of Way policies. It was noted that there is no funding available to allow this Plan to be updated and it will need to be incorporated into existing Officer workloads. Mr Fleming explained that the Plan will place an emphasis on improving the Rights of Way network, and will take into account new legislation which centres on improvements to open spaces and commons.

LAF discussed the progress in respect of the Improvement Plan and the lack of funding available to take this forward, and expressed concerns that there would be a reduction in the number of public ROW footpaths available. Mr Griffiths explained that the Plan will place a focus on shrinking resources and will look at alternative funding sources and different methods of service delivery.

LAF noted the details of the update from Mr Fleming.

9. DEFINITIVE MAP MODIFICATION ORDERS

Mr Fleming presented an update in respect of modification orders received from developers. There are currently 47 live applications on file and 3 of them are being processed by Mr Fleming at this moment in time, who explained that resources are tight.

Mr Fleming explained that modification orders are separate to diversion orders, and he outlined the criteria for how these are processed and gave examples of occasions where the priority for processing may need to be shifted. He offered to circulate a list of current applications to LAF following the meeting.

LAF discussed the changing order of priority regarding these applications and expressed a need for developers to follow the criteria before being granted priority status. Mr Fleming explained that the overriding consideration is for the adherence of planning legislation and for the need for due process to be followed. In general, there has been a noticeable improvement regarding the detail given by developers in respect of any modification orders as part of their planning application. A LAF Member queried if developers were delivering on the conditions agreed as part of the modification order, and Mr Fleming confirmed that this would be a pre-requisite to the agreement of any planning application. He offered to discuss the matter further with the Member following the meeting. Mr Fleming also outlined the communication between the Council's Planning and Countryside Teams and developers to ensure that due process is being followed in respect of any modification to Rights of Way.

Discussion took place regarding a document produced by Leicester City Council which gives examples of acceptable modification orders in housing developments and Mr Griffiths confirmed that a similar document had been produced by Caerphilly Council with significant assistance from the LAF and placed on the agenda for a future meeting.

Following consideration of the item, LAF noted the details of the update in respect of Definitive Map Modification Orders.

10. FUNDING UPDATE

Mr Griffiths explained that it had been a busy winter in respect of funding news. Welsh Government have combined several grants, and local authorities and other partners created a Gwent consortia for a wide variety of environmental grants. The 5 Gwent local authorities will be expected to submit a regional access bid to replace the loss of funding through ROWIP. The bid will include funding for Access officers and physical access and also allow for a more strategic role to be undertaken by local authorities in view of the lack of existing resources. It has been agreed to explore with WG a potential replacement ROWIP across the 5 Gwent local authorities, which will have an overarching set of main objectives and then have specific detail tailored for each local authority.

LAFS are being encouraged to engage with community councils by Ramblers Cymru who have prepared their own bid and to date, 18 of the 22 local authorities have signed up to support this agreement. Funding has also become available through the Adventure Triangle based around Mynydd Maen, which will create a part-time post and whilst being trans-boundary will be employed by Caerphilly Council. It was noted that many funding opportunities are starting to come to fruition, and if all these are approved, this would place Caerphilly Council in a very good position to progress the work being undertaken through the LAF.

LAF noted the details of the update from Mr Griffiths.

11. COUNTRYSIDE AND LANDSCAPE SERVICES WEB PAGE

LAF were given a demonstration of the new Countryside and Landscape Services mini-site, which will be launched through the Caerphilly Council website in Easter 2019.

Mr Griffiths explained that the new website has amalgamated detail of all maps, walking paths and public ROWs across the county borough. LAF were shown the webpage interface which cascades into several recommended areas and contains links to walking trails across the county borough. There is also an avenue for users to recommend additional content to the website development team. The new website is very user friendly and also links to local events, such as Earth Hour, and the Forge (Caerphilly Challenge Walk 2019).

LAF Members were very pleased with the layout of the website and the ease of navigation. Mr Griffiths explained that the information contained on the website will also assist in the Council's pledge to reduce the amount of printed material.

LAF noted the details of the webpage update from Mr Griffiths.

12. OFF-ROADING

Mr Fleming explained that he had attended a multi-agency meeting on Friday 22nd February 2019 regarding anti-social behaviour. At that meeting, the issue of 101 wait times when reporting instances of off-roading was raised, and the advantages of Gwent Police's new social media desk was discussed. This now allows the user to instantly message Gwent Police via Facebook or Twitter with details of less-urgent incidents, and provides a crime reference number in response. Drone technology to tackle off-roading is being trialled in Newport and has been very successful to date. It is intended to train up more officers in the use of this technology and expand across the wider Gwent area. This technology can also be used during grass-fire season and to tackle problem flytipping areas.

In regards to illegal off-roading, LAF noted 78 incidents reported in the last quarter. 25% of these incidents occurred in the Newbridge ward, with Abercarn and Argoed wards in particular also experiencing off-roading problems. Mr Fleming offered to circulate the figures to LAF following the meeting. It was noted that across Gwent, the highest prevalence of off-roading problems are in the Newport area.

A LAF Member gave an example of where they had not been connected through 101 in time to report a large party of off-roading vehicles, and another Member added that they had emailed one report of off-roading through to his local Neighbourhood Watch Scheme. Mr Fleming acknowledged that the true numbers of off-roading incidents was potentially a lot higher than the 78 occurrences report, and in response to a Member's query, expressed the importance of logging all incidences in order for police resources to be appropriately allocated in the following quarter. Mr Fleming also updated LAF on the work of the Rural Crime Team, which is split between two police stations in the county borough, and offered to circulate the contact email to Members following the meeting.

LAF noted the details of the update from Mr Fleming.

13. CHALLENGE WALK 2019

LAF noted the details of the Caerphilly Challenge Series, which will take place on Saturday 11th May 2019 and will have a number of routes available for all fitness levels and abilities.

The Challenge Series has been arranged by Countryside and Landscape Services, in conjunction with Caerphilly Adventure Group, Caerphilly Ramblers, Islwyn Ramblers and other partners. LAF were advised that further details were available online via (<http://your.caerphilly.gov.uk/caerphillychallengeseries>), and there will also be a link to this webpage through the new Countryside and Landscape Services mini-site.

14. ANY OTHER BUSINESS

It was noted that Canoe Wales had requested the inclusion of a representative on LAF, and Members were in agreement with this request, given previous correspondence with this organisation in respect of water access and usage. It was agreed that the LAF Secretary would write to Canoe Wales and invite Mr Steve Rayner to the next meeting.

It was noted that the next LAF meeting would be held on 7th June 2019 and Members were asked for a preference in respect of dates and subjects for a potential site visit. It was suggested the LAF could look at a barrier project in Gelligaer and it was agreed that as this project has yet to be completed, that Mr Griffiths look at arranging a site visit nearer the date of completion (either in June or September 2019).

The Chair thanked all parties present for their attendance and contributions and the meeting closed at 12.30 pm.