



## **CAERPHILLY LOCAL ACCESS FORUM**

### **MINUTES OF THE REMOTE MEETING HELD VIA MICROSOFT TEAMS ON FRIDAY, 4<sup>TH</sup> MARCH 2022 AT 10.00 A.M.**



#### **PRESENT:**

M. Benjamin – Chair

Councillor Nigel George (Cabinet Member for Waste, Public Protection & Street Scene) – Vice Chair

B. Clark, L. Davies, K. Donovan, A. Evans, D. Llewellyn, J. Morgan, R. Stones, M. Thomas, W. Williams, A. Wilson N. Yates.

By Invitation: B. Campbell and G. Drinkwater (Natural Resources Wales)

#### **Together with:**

Officers: P. Griffiths (Green Space Strategy and Cemeteries Manager), S. Denbury (Countryside and Rights of Way Assistant), A. Fleming (Countryside and Rights of Way Officer), J. Horwood (Senior Engineer), R. Barrett (Committee Services Officer), J. Thomas (Committee Services Officer).

### **RECORDING AND VOTING ARRANGEMENTS**

The Chair reminded those present that the meeting was being filmed and would be available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would take place via a show of Hands Up.

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from G. Davies, A. Edwards, E. Gwynne, D. Hale, L. Howells, A. Palmer and M. Pointon.

#### **2. DECLARATIONS OF INTEREST**

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

#### **3. MINUTES – 26<sup>TH</sup> NOVEMBER 2021**

It was moved and seconded that the minutes of the meeting held on 26<sup>th</sup> November 2021 be approved as a correct record and a show of Hands Up (and in noting there were 7 for, 0 against and 0 abstentions) this was agreed by the majority present.

RESOLVED that the minutes of the Caerphilly Local Access Forum held on 26<sup>th</sup> November 2021 (minute nos. 1 – 12) be approved as a correct record.

#### **4. MATTERS ARISING FROM THE MINUTES**

Phil Griffiths (Green Space Strategy and Cemeteries Manager) welcomed the newly elected Vice-Chair of Caerphilly LAF Councillor Nigel George (Cabinet Member for Waste, Public Protection and Street Scene) to the meeting.

The Green Space Strategy and Cemeteries Manager referred to Minute No. 14 (Any Other Business). The Local Access Forum had requested that the Parks Department give a presentation at the next meeting relating to rights of way maintenance. Mr Griffiths advised the LAF that due to the extreme workload of the Parks Department following the recent storms, the presentation would now be arranged for the June 2022 meeting. The Forum noted and agreed to the postponement.

The Green Space Strategy and Cemeteries Manager referred to Minute No. 11 (Transport for Wales Level Crossings in the Rhymney Valley) advising the LAF there was still no firm conclusion as to whether site visits are to resume. Officers will have more information following the announcement from Welsh Government on 28<sup>th</sup> March 2022. The Local Access Forum will be kept informed of any updates.

The Local Access Forum noted the updates provided from Mr Griffiths.

#### **5. CHAIR'S REPORT**

The Green Space Strategy and Cemeteries Manager introduced the item which provided an update on the National Local Access Forum Conference held on 1<sup>st</sup> December 2021. The LAF were advised there were five main topics covered:

- Sustainable Farming Scheme
- Access Reform Programme
- Local Access Forum Regulations
- Illegal Off Roding in Snowdonia
- Combinations of Local Access Forums in North Wales

The LAF were informed, with regards to the Sustainable Farming Scheme, Welsh Government are looking to bring in more Sustainable Land Management, which would be a condition imposed on the grant funding. It would also cover items such as protecting the landscape, protecting the eco systems, clean supply of water, clean supply of air and enhancing access. There will be ten areas farmers will be able to bid into to supplement their payment once the funding becomes live.

The LAF noted that enhancing access would cover four main points which include updating existing footpaths to make them more usable, upgrading them into multi- use routes, improving the connectivity between existing paths and making them more usable with opportunity to create new paths. All of these will be set out by Welsh Government. The guidance will be issued this year with a possible pilot scheme. To date Caerphilly have not been approached to carry out any of the pilot schemes. The LAF also noted that in 2023

Welsh Government would carry out a further consultation on Sustainable Farming working alongside the revised Agriculture Wales Act.

The LAF were advised there was discussion regarding the Access Reform Programme, Group 1, which covers items such how to improve the administration of Local Access Forums, Dogs on Leads and Opening up the Countryside Access Mapping Review.

A Forum Member raised concerns regarding multi use routes and whether there would be discussion as there are footpaths that are not suitable for sharing. The LAF were advised that consultation on this topic will be carried out at a future date.

The Forum thanked the Officer and noted the updates provided.

## **6. GWENT GREEN GRID**

The Green Space Strategy and Cemeteries Manager introduced the item and advised the LAF that this is a partnership between four Local Authorities working collaboratively on various environmental schemes one of which will include Access Schemes.

The LAF noted there is a Project Team in place which is primarily based in Monmouthshire with the Access Team being based in Torfaen. However, this is a Gwent initiative so all Local Authorities will benefit. Within the Access Team, there have been five officers appointed to promote and undertake access improvement. The Lead Officer is James Bower and four trainees have also been appointed. One of the trainees (Rees Nunnerley) is based in Caerphilly and is working on Rights of Way Maintenance under the guidance of the Rights of Way Warden Mark Gibbings.

The LAF were advised that Caerphilly are looking to employ Consultants to work on Regional Access Improvements. They will be working to identify the strategic links on areas including long distance works and long-distance cycle paths. They will also be working on a Regional Rights of Way Improvement Plan. The LAF were also advised another key point is regional working requiring regional frameworks and so there are currently plans to hold a regional meeting annually with the four Local Access Forums each having three representatives to discuss issues and concerns in each of their own Authorities.

The Green Space Strategy and Cemeteries Manager asked any Forum Member wishing to express an interest in attending the Regional Local Access Forum meeting to send the Chair or himself an email.

The Forum thanked the Officer and noted the updates provided.

## **7. GENERAL RIGHTS OF WAY UPDATE**

Andy Fleming (Countryside and Rights of Way Officer) provided the LAF with an update on recent developments within Countryside and Rights of Way.

The Forum noted that work undertaken by Countryside and Rights of Way is currently behind schedule on issues with bridges flooding, due to the extreme weather and COVID-19 restrictions. The Forum noted the wardens and their teams are limited on the work they are able to carry out in this area. The extreme weather has also caused further issues and the team are extremely busy and resources are stretched to capacity. The Forum noted that even though restrictions are now easing, there is an issue with obtaining contractors, as they are all fully booked due to a backlog of work. The LAF were assured that although there is slow

progress the service area is catching up on projects.

The Forum thanked the Officer for his update and discussion ensued.

A Forum Member enquired if there was a revised plan in relation to the Rights of Way Improvement Plan (ROWIP). The LAF were advised work is currently being carried out to ensure a more rational and deliverable ROWIP is in place by separating the current ROWIP into a regional context, which will include working together with neighbouring authorities and an integrated plan, which will include projects that are intended to be carried out in the duration of the ROWIP. The timescale of the revised ROWIP will be within the year 2022/23.

A Forum Member sought further clarification in relation to Appendix 7 of the current ROWIP, on exactly where the Circular and Linear Bridal Way route is located. The Forum Member also requested a clearer map in relation to Appendix 8 as the background of the map is in green and the line identifying the roads and pathways are also in green.

The Green Space Strategy and Cemeteries Manager advised the Member they would arrange for new maps to be circulated which would make it easier for Forum Members to decipher specific locations.

A Forum Member sought clarification on whether the path in the Hafodrisclawdd Wood' is a permitted path as it is not shown on the Definitive Map. This path links up to a bridleway, and the access to this bridleway is currently overgrown. The Forum Member sought clarification on who is responsible for this area the Local Access Forum were advised this area is on NRW land. If it not shown on the Definitive Map then it is not a statutory right of way.

A Forum Member advised the Local Access Forum they had been provided with a list from the Ramblers Association for the amount of money provided from Welsh Government to various local authorities in Wales for 2021. The Members sought clarification on why Caerphilly County Borough had not received any of this particular funding.

The Officer advised the LAF that a Freedom of Information Request has been submitted to the Authority and is currently being processed. Therefore, the Officers were limited on what information they could share with the Forum Members at this time. However, the Officer did clarify that funding had been received in July 2020 but due to COVID-19 restrictions this funding could not be allocated as it expired in March 2021. The LAF were also advised Welsh Government did offer the same funding again to Caerphilly which was accepted and was in the region of £74,000.

A Member queried whether the Authority have a list of priorities in relation to repairs, as there is a pathway which has deteriorated badly in Manmoel. The Officer updated the LAF that work on the path in question is currently underway and a report is being prepared by the CCBC Engineering Team? containing information on the works that are required and the costings. The Officer confirmed he would provide the Member with an update as soon as the report is received.

The Forum thanked the Officers and noted the update.

## **8. COUNTRYSIDE CODE**

The Green Space Strategy and Cemeteries Manager provided the Local Access Forum with an update on the Countryside Code, which had been scheduled on the agenda as an information item for landowners. The 1949 Act sets out the rights and obligations of people using the countryside and states there is an obligation for the publication of a Code of Conduct

and Guidance for people visiting the countryside. The Members noted that even though reviews of the Act have taken place over the years, there has never been a review on the obligations of landowners. National Resources Wales and Natural England have been working collaboratively to provide a joint publication that will cover England and Wales. The Health and Safety Executive has also been involved in overseeing this work.

The Local Access Forum noted there is a suite of advice which covers a number of factors including, Visitors to the Countryside Code, Dog Walkers Code, Trail Users Code, Waterside Code and Wild Swimming Code. They all work on the same ethos which is to Protect Respect and Enjoy. The new advice being issued works on the same ethos and provides landowners with clear information on five elements of Countryside Access which cover, Rights and Responsibilities Relating to Public Rights of Way and Areas the Public have Access. It also covers Rights of Access for Visitors, this element covers understanding visitors' rights and the obligation to keep rights of way in a usable condition. The third element is How to Help Visitors Behave Responsibly Whilst on Landowners Land, this element refers to good condition gates and clear signage. The fourth element is Creating a Safer Environment, this elements targets advice on issues such as over hanging trees, responsibility for tree safety, livestock protection. It also covers areas such as where to use machinery on site where the public have access. There is also a section on how and where to store dangerous substances away from the public. Finally, there is an element which directs landowners on who to contact should there be any issues or if assistance is required. All of the information is available on the NRW website under the Countryside Code.

The Forum thanked the Officer and noted the update.

## **9. NATURAL RESOURCES WALES UPDATES**

The Local Access Forum welcomed Mr Bob Campbell (Recreational Manager - Natural Resources Wales) who introduced himself and outlined his role within Natural Resources Wales as part of the Land Management Team. He gave a brief update on Land Management and thanked the Forum Members who have reported fallen trees and issues with pathways over the past few months.

Mr Campbell shared a list of contact details for any Member wishing to report an incident:-

Land Management Team e mail:

[SE-Wales-Land-Managementteam@cyfoethnaturiolcymru.gov.uk](mailto:SE-Wales-Land-Managementteam@cyfoethnaturiolcymru.gov.uk)

For urgent or out of hrs incidents / reports use the ICC:

0300 065 3000 (24/7) [Natural Resources Wales / Report an incident](#)

Reporting off-road vehicles: [contact@gwent.pnn.police.uk](mailto:contact@gwent.pnn.police.uk) Call 101

A Forum Member enquired on whether there was an intention by the NRW to replant the trees that had been taken away in Hollybush. Mr Campbell advised the LAF he would look into this enquiry and feedback to the Forum once he has further information.

The Local Access Forum also welcomed Ms Geminie Drinkwater (Natural Resources Wales) who provided the Forum with a review of the proposed Rights of Way project at Cwmcarn Scenic Drive. The Forum noted the project was almost complete with only one site requiring completion. Ms Drinkwater explained that NRW are now in the process of adding way marker posts so that Rights of Ways are more visible. The LAF were advised there were a number of

routes that have overgrown hedges and fallen trees causing access issues. Ms Drinkwater asked the Forum to note that contracts have been sent out, however, there is a problem with contractor availability due to the backlog of work following the pandemic. NRW and Caerphilly County Borough Council are currently working in partnership on a Modification Order.

Mr Campbell invited any LAF Members who had found the project of value to provide feedback to NRW so projects like this can be replicated in the future.

A LAF Member expressed her gratitude to Ms Drinkwater and congratulated her on the amazing work that had been carried out, and, also requested that Mr Griffiths pass her thanks on to the National Local Access Forum.

Mr Campbell shared his screen with the Members showing the proposed new signage. The signs clearly show who can and cannot use a pathway and they also have a code which will make it easily identifiable if a member of the public needs to report an issue with the route to NRW.

The Local Access Forum thanked both Mr Campbell and Ms Drinkwater for their update. The update was noted.

## **10. PRIORITY ORDERS**

The Green Space Strategy and Cemeteries Manager requested the item be deferred to the June meeting to allow the preparation of a written report on this topic and this was agreed by the LAF.

Although it was agreed that the item be deferred to the June meeting, the Countryside and Rights of Way Assistant gave the Forum a brief background on the legal processes of Priority Orders.

In response to a query from a LAF Member, the Officer provided clarification on the difference between adding a path and the creation of path.

## **11. TRANSPORT FOR WALES LEVEL CROSSINGS**

Stefan Denbury (Countryside and Rights of Way Assistant) provided the Forum with an update on the intention to electrify the Rhymney to Cardiff track. The Officer advised the LAF that CCBC are in contact with a consultant for Transport for Wales (TfW) and discussions are taking place with regards to five footpaths that have been identified as high risk beyond an acceptable level to public safety due to the frequency, speed and the reduced sound of the new electric trains.

The five sites are the footpath for Van, which is the level crossing itself, and there is a road bridge in close proximity that TfW are looking to use as a possible alternative. However, there has been opposition from CCBC's Highways Department due to the classification of this road. The second site is footpath 46 – Llanbradach, which is being investigated due to the historic nature of the footpath. The next site is footpath 43 – Caerphilly as there is no reasonable alternative to this footpath within a close distance. Footpath 11 - Gelligaer, which is Gibbons Crossing, has also been identified by TfW as increasing the risk to the public safety. However, there is an issue with this footpath, as the Public Right of Way recorded on the Definitive Map stops at the railway, and then starts again on the other side of the railway and the statement refers to the path not crossing the line. This will also have to be investigated. Footpath 88 at Gelligear also stops at the railway on the map. The alternative could be a

footpath to the north of the station and TfW have suggested they would consider this being used as an alternative.

It is proposed that LAF undertake a site visit at a future date to look at each individual site.

The Forum thanked the Officer and noted the update.

## **12. CYCLING ON FOOTPATHS**

Jason Horwood (Senior Engineer) provided the LAF on the Active Travel Project being jointly run with CCBC and Welsh Government. The Forum noted this is a project to promote and encourage more cycling, for not only pleasure but for essential travel such as work, schools and shops, and also making it more appealing to unconfident cyclists by allowing them to share the footpaths rather than have to ride on the roads. The Officer informed the LAF there are two routes in the Crosskeys area which have been identified as Active Travel Routes. The Officer shared a map with the Forum to identify both routes.

A Member of the LAF raised their concerns regarding the sharing of the footpath with pedestrians and cyclists. They felt very strongly that pedestrian safety was being compromised due to the speeds that cyclists travel on the paths. The Member also raised their concerns around the Local Authority allowing this footpath to be shared with no formal consultation being given to the residents. The Officer advised the Forum that for the two sites in Crosskeys there would just be clear signage. The Officer also accepted there will be difficulties as a result of the new arrangement, but he will be taking advice on how to make the routes safer for both pedestrians and cyclists.

The Green Space Strategy and Cemeteries Manager advised the Forum the Active Travel Plan will take around 5 years to implement. There are around 400 sites that are currently being examined which will be subject to a consultation process.

Following discussion, the Chair proposed that this agenda item be deferred to the June meeting so that further information can be provided in relation to this item, and this was agreed by the LAF.

## **13. GRANTS**

The Local Access Forum were provided with a brief update on Grant developments. The Officer advised the Forum that the Authority is currently spending the funding secured through the Access Works and the Greater Gwent Partnership. There is Capitol Grants associated with this Partnership which will be active for the next 18 months.

The Forum noted that the access improvement work is still being carried out at the Mynydd Maen site above Cwmcarn.

The Forum noted that Upland funding is coming to an end and therefore there may be some access improvements works taking place as a result.

The Officer advised the LAF they have a forthcoming with Welsh Government regarding Commons and Access and access being blocked. The Officer advised an update on this meeting would be given to the Local Access Forum at their next meeting.

The Forum noted that the Rural Development Programme (RDP) Fund is still being utilised and were pleased to note that Welsh Government has confirmed that further funding will become available.

It was noted the Officer is hoping to secure further funding from Welsh Government for the Caerphilly Landscape Strategy (CLS).

It was noted that there is an Annual Grant that is issued by Welsh Government. However, at this time there are no figures yet been received. This is a dedicated Access Grant.

Mr Campbell advised the Forum that there is opportunity to access further funding with joint initiatives with the NRW.

The Forum thanked the Officer and noted the update.

#### **14. CHALLENGE WALK 2022**

The Green Space Strategy and Cemeteries Manager provided the Forum with an update and confirmed that the Challenge Walk will take place on 7<sup>th</sup> May 2022 and will mark the 10<sup>th</sup> Anniversary of the event. Bookings are now open, route checks are taking place to ensure the paths are all passable, and CCBC and NRW are liaising to ensure all the correct consents are in place. As a matter of good practice all landowners will be informed of the routes which are being used.

The Green Space Strategy and Cemeteries Manager acknowledged the work of LAF Members in actively helping to ensure the walk is well organised. The number of volunteers that attend on the day is also very impressive and he thanked everyone involved in the event.

The Local Access Forum thanked the Officer and noted the update.

#### **15. NEXT MEETING ARRANGMENTS**

The Green Space Strategy and Cemeteries Manager advised the LAF that the June meeting could be held in person provided all current COVID-19 restriction are lifted, as there is a Welsh Government requirement for Local Access Forums to be held in person. However, there has been feedback from Members requesting hybrid meetings. The Local Access Forum were advised that an update from Welsh Government on the matter was expected and the Forum would be advised of this as soon as further information is available.

#### **16. ANY OTHER BUSINESS**

The Chair requested a new standing item for all future meetings, whereby foreach Local Access Forum Member would give a brief presentation on themselves and the organisation they represent by way of background for the other LAF Members. The Chair suggested that this take place alphabetically, and for Mr Barry Clarke to prepare a short presentation for the next meeting, with Mr Glyn Davies and Mr Keith Donovan preparing presentations as a backup should Mr Clarke be unavailable.

The Chair gave a brief presentation on his personal background and the explained the reason why he became a Member of the LAF was because of his passion for walking and cycling.

The Chair thanked all parties present for their attendance and contributions and the meeting



closed at 12.16 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 17<sup>th</sup> June 2022.

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CHAIR