

ANGLESEY LOCAL ACCESS FORUM

Minutes of the meeting held on 24 September 2013

PRESENT:

John Tudor Astley
Margaret Ferne
Eric Howarth
Keith Hollingworth
Peredur Hughes
Jacki Lewis
Jim Marshal
Andria Massey
Alun Owen
Rhys Ll. Owen
Tony Pritchard
Eric Roberts
J.Myrddin Roberts
Ted Thomas
Christopher Topps
Sir R.W.Bulkeley

IN ATTENDANCE:

Dan Jones - LAF Secretary
Arwel Evans – Right of Way Officer
Dewi Williams - Head of Service (Highways)
Huw Percy – Principal Engineer

APOLOGIES:

Dewi ap Rhobert
R.Elwyn Owen
John Stubbs

1. CHAIRMAN

The Acting Chairman Dan Jones, Secretary of the Forum, presided and welcomed the new and previous members to the Forum and also the Local Authority officers. He outlined the general operation of the Forum and wished the members well in their deliberations and decisions.

2. TO NOTE THE LIST OF MEMBERS

The list of Members for the new term of the Access Forum was noted and the Chairman invited all Members and Staff to individually introduce themselves. The three apologies for absence were noted.

3. THE ROLE AND DUTIES OF THE LOCAL ACCESS FORUM [Paper A]

Details of the statutory function of a Local Access Forum had been circulated with the meeting Agenda and it was noted that the Forum was expected to advise on the improvement of public access to land in its area of operation for the purposes of open-air recreation and the enjoyment of the area in accordance with the requirement of the Countryside and Right of Way Act 2000 (CROW Act)

In carrying out this function the Forum should have regard to –

- The needs of land management
- The desirability of conserving the natural beauty of the area for which it was established, including the flora, fauna and the geological and physiographical features of the area.
- Guidance given from time to time by the National Assembly Government

The Right of Way Improvement Plan and its review was an important aspect of the work of the Forum. Also an important factor was to review the mapping of open country and registered common land and to receive reports and take action regarding all matters relevant to the public use of rights of way.

It was noted that it was important for the Forum to play a full part in setting its own agenda and that individual members should be active in respect of this aspect.

4. ELECTION OF CHAIR AND DEPUTY CHAIR [Paper B]

The Acting Chairman stated that as per the details circulated there was a statutory procedure for the appointment of Chair and Deputy Chair of the Forum. Nominations for the two posts would be taken at the first meeting and a secret ballot would be taken at the second meeting with a brief note from the candidates nominated to assist in the selection process.

CHAIR

The Acting Chairman invited nominations. The name of Dewi ap Rhobert was proposed and seconded. There were no other nominations and it was noted that he was away from home but had previously indicated that if nominated he would stand for election. As there were no other nominations the Acting Chairman declared that **Dewi ap Rhobert** would serve as Chair of the Forum.

DEPUTY CHAIR

The Acting Chairman invited nominations. The name of John T. Astley was proposed and seconded. There were no other nominations. As there were no other nominations the Acting Chairman declared that **John T. Astley** would serve as Deputy Chair.

Dan Jones relinquished the Chair and John Astley presided for the remainder of the meeting.

5. ADMINISTRATIVE MATTERS

Arwel Evans presented details about the operation and administration of the Forum, the Terms of Reference, the procedure for claiming expenses and the cycle of dates for meetings. He enquired about the preference regarding venues and times of meetings. Members agreed that the current venue at the County Council Office was the best venue and the time of 10.30 a.m. but if there was a particular problem or need to visit an area that arrangements could be made for a meeting at that location.

6. MINUTES OF THE LAST FORUM HELD ON 07 MAY 2013 [Paper C]

Arising from the Minutes

6.1 Proposed New Power Lines across Anglesey [Minute 3.5]

Peredur Hughes indicated that it had been resolved to arrange a special meeting with the National Grid to emphasise the opposition to the new overland pylon routes but to date the meeting had not been held

It was agreed that the matter was of such importance that a special meeting should be held with National Grid. Arwel Evans agreed to make the arrangements.

6.2 Malltraeth Cob – Bridle Route

Margaret Ferne referred to the statement that the 2 metre width of the path at Malltraeth was not suitable for multi use but other parts of the country did allow such use. Arwel Evans stated that the Sustrans Cyclerooute Standards required 3-4 metres for a shared cycle track/footpath with an adjoining bridleway. Margaret Ferne commented that a bridleway in Rhyd Ddu had recently been realigned and surfaced to 2 metres width and was also used by cyclists. Arwel Evans explained that a bridleway is a different type of highway to a cycle track. Horse riders are not entitled to use cycle tracks but in some cases an adjoining bridleway can be provided. The Countryside Act 1968 gave cyclists the right to use bridleways but they must give way to other users.

It was agreed to produce a report to the next meeting on the rights of cyclists and horseriders, including information on the development of Lon Las Cefni and the legal orders made in respect of it.

Arwel Evans would also raise the matter with NRW to enquire about the possibility of establishing an adjoining bridleway at Malltraeth Cob.

7. PROVISIONAL MAP OF ACCESS LAND

It was reported that the provisional map of open country and registered common land published by Natural Resources Wales on 7th August 2013 was available for inspection at the meeting and on the NRW website. Any person with a legal interest in land shown could appeal against its inclusion and would need to appeal by the 7th November 2013.

The Secretary was asked to contact NRW to see if any progress had been made about the need for legislation to ensure owners and occupiers of land had to be informed when their land was being designated.

8. REVIEW OF ACCESS AND OUTDOOR RECREATION LEGISLATION [Paper D]

It was noted that the information contained in the Discussion Document was over a wide range of issues. The basic factor was that the Welsh Government wanted to review the legislation relating to outdoor recreation and leisure with the intention of securing better access to outdoors recreation, modernising and to simplify the current regulatory framework and providing clarity and certainty over where people can go and what they can do there.

It was reported that a Green Consultation Paper would be issued towards the end of 2013 and that this would be circulated to Forum members

9. COASTAL PATH WORK PROGRAMME 2013/14

Hugh Percy presented a summary of the projects for the Wales Coastal Path spanning 2 years and he explained the items included and the percentage of grant aid provided. There was no grant aid provided for maintenance work. The total project work in the report amounted to £378,162 and the grant aid only amounted to 257,031.

Members were of the view that the sum provided was totally inadequate to ensure that all sections of the path did follow the coastline and meet the expectations of users to walk the Anglesey coast and not to follow some sections inland.

Arising from the subsequent discussion the following items were raised –

- i) Tony Pritchard commented that a short ramp at the start of the path to Bryn Celli Ddu was too steep for a person in a wheelchair to use unassisted- **Action - would be investigated**
- ii) Margaret Ferne referred to order proposals for the footpath at Plas Cymyran. She requested that if its status on the Definitive Map is to be upgraded then this should be to Byway rather than Bridleway- **Action - would be reviewed**
- iii) Motorhomes that were parking in unauthorised locations overnight – **Action –plans for Parking Wardens to deal with the issue.**

10. LOCAL ISSUES

10.1 Clearing footpaths

Tony Pritchard asked if there was a lack of funding for paths why was the County Council spending funds on disused routes and cited a path in Llangristiolus which had not used for about 20 years. Arwel Evans stated that there had been requests to reopen that particular path and Andria Massey confirmed that she had received similar requests in her capacity as Ramblers Association Secretary.

Jacki Lewis stated as an organiser of the Walking Festival it was very important to have new routes available so that the programme of walks can be varied.

Jim Marshal thanked the County Council for clearing footpaths.

Andria Massey gave a report on funding which the volunteer group had secured from the Ramblers Association at national level which had been used to purchase galvanised kissing-gates. The group was erecting these gates on the local path network, mainly to replace ladder stiles for ease of use. The Chairman thanked the volunteer group for their work.

11. LAF CHAIRS MEETING – NEWTOWN 15 OCTOBER 2013

IT WAS AGREED to submit an Agenda item to the Meeting calling for the LAF's in Wales to submit a strong case and appeal to Welsh Government to provide sufficient funding to Local Authorities to enable them to maintain the paths and also to be able to complete sections on the Coastal Path that had sections of the route inland instead of along the coast.

12. NEXT MEETING

It was noted that the next meeting would be on the **28 JANUARY 2014**

That concluded the business and the Chairman declared the meeting closed.

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CHAIRMAN

3. MATTERS ARISING

3.1 Rhoscolyn Point

It was noted that it had been reported that a person had fallen at this location and that the section of path needed checking. It was reported by volunteer John Stubbs that work had now been carried out and a new sleeper bridge and steps installed. The Chairman thanked those who had completed the work.

3.2 Afon Crigyll

Arwel Evans reported that in accordance with the decision taken at the last Forum Christopher Topps and himself had arranged a meeting on the 27 March with the Environment Agency on site about the stones placed at the estuary and he displayed photographs of the area involved. It was noted that an acceptable explanation of the situation by the Agency had been received and that the stones had been placed to prevent erosion.

3.3 Benllech to St.David's Path

The complaint that the path had narrowed and was making it difficult for wheelchair users had been investigated and maintenance work on the path would be carried out during the Summer.

3.4 Pont Aber Alaw

It was noted that work was being completed on the access to the bridge and an official opening by the Environment Minister would be arranged during the Summer.

3.5 Proposed New Power Lines across Anglesey

It was noted that following a report of the meeting in January 2013 of the Anglesey, Northern Snowdonia and Arfon/Dwyfor LAF's the Anglesey Forum had decided at the last meeting that it was opposed to the use of more overland pylons that would ruin the Anglesey landscape and have a severe adverse impact on the tourist trade and related businesses.

The decision indicated that undersea and underground transmission were the favoured options. In the ensuing discussion the various merits were considered and the related costs of the various transmission methods. It was also noted that it was an opportune time to discuss the erection of a new bridge across the Menai Strait that could solve a traffic problem and carry the necessary power across if all the parties involved discussed the issue and co-operated.

The Forum resolved to arrange a special meeting with the National Grid to emphasise the opposition to the new pylon routes and to discuss other options.

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4. LAF CHAIRS MEETING AT ABERYSTWYTH ON 20 FEBRUARY 2013

The Chairman stated that he had attended the meeting but many of the items discussed had no direct relation to Anglesey except the topic submitted from Anglesey LAF about the need for notification of the designation of open access land to farmers that had received full support. The matter was also to be discussed later in the meeting under item 7.

5. NATIONAL ACCESS FORUM FOR WALES

It was noted that the National Forum had been held at the Conwy Business Centre, Llandudno Junction on the 12th March 2013. The Forum consisted of appointed representative of all organisations involved with the land and access in Wales. It was open to all members of LAF's to attend the meetings as observers but not to speak on items under discussion. The Chairman stated that he had attended but had no report on any specific item.

6. ACCESSIBILITY OF PUBLIC RIGHTS OF WAY

It was noted that at the last meeting there was a discussion on the design and standards for gates and stiles which led to a wider discussion about the responsibilities of highway authorities under the Equality Act 2010 and highway legislation. In response to the discussion Arwel Evans had prepared a report providing information on relevant aspects of the law and guidance available to local authorities and this information had been circulated to members with the Agenda [Paper B]

The information explained the provisions of the Equality Act 2010 and the application of those provisions to rights of way and countryside access work. Also circulated were details of the statutory guidance published in 2007 by the Welsh Government under sections 147 and 147ZA of the Highways Act 1980 relating to the requirement for local authorities to have regard to the needs of people with mobility problems when authorising stiles and gates.

The Forum discussed various aspects on the application of the legislation. Tony Pritchard emphasised the importance and the need for less abled people to have the information readily available about suitable paths they could use. He stated that there were suitable sections not included in the information now available to the public. The point was noted and supported and it was also stated that the new Web site would improve the information available.

Arwel Evans said that the highway authority was always looking at ways to improve access and would continue to target areas where improvements could be made. It was a continuous long term task. The Forum asked the highway staff to look at the powers available to them or the lack of powers to meet the obligation of the legislation.

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7. OPEN ACCESS MAPPING

Molly Lovatt from Natural Resources Wales (NRW) was welcomed to the meeting. It was noted that the former organisations CCW, Forestry Commission Wales and the Environment Agency Wales had been merged into a new body on the 1st April 2013 and known as Natural Resources Wales/Cyfoeth Naturiol Cymru.

The Open Access Mapping Review Statistics were circulated to members. It was noted that ten representations had been made in Anglesey in the review and the adjustment was minimal. A new access map would now be prepared followed by a consultation period.

Peredur Hughes reiterated the need for Natural Resources Wales to inform farmers as a legal right that if any land, however small the area, was to be designated as open land or existing boundaries changed. This was fully supported by the Forum and Molly Lovatt agreed that she would take the complaint back to NRW.

8. LOCAL ISSUES

8.1 Bridle path designation

Margaret Ferne enquired if any part of the coastal Path in Anglesey was suitable to be upgraded to a bridle path and that she had been informed that grant aid was available. Malltraeth Cob was given as a suitable example. It was noted that that there was no statutory width for a bridle path but there was for gates. The Chairman indicated that in his experience the multi use of paths by cyclists and horses was dangerous for pedestrians. It was explained that a good case had to be made to secure and justify a bridle route if a section was to be approved by NRW.

8.2 Gaerwen to Llanddaniel path.

Ted Thomas thanked Arwel Evans for arranging improvements by the provision of two new gates.

8.3 Key Performance Indicator (KPI)

Dewi Williams reported that the indicator had reached 59.2% on the availability of path usage and that steady progress was being made.

8.4 Wales Coastal Path funding

Huw Percy reported that £1.1 Million was allocated for the maintenance work for the next 2 years but when shared between the local authorities in Wales it was insufficient and discussions were being held to enable two members of staff to be employed in Anglesey. The funding would not cover the important work to close the gaps in the coastal path section in Anglesey.

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8.5 Presaddfed, Bodedern

Margaret Ferne drew attention to a gate supplied for a path near Presaddfed about two years ago but was still waiting to be installed. Arwel Evans stated that he would deal with the issue.

8.6 Definitive Map on the Internet

The Forum welcomed a demonstration of the flexibility and the information contained on the new Web site and thanked all those concerned with the preparation. The Welsh version would be available at a later stage

8.7 Sending meeting papers via Email

It was reported that the Anglesey County Council was considering adopting a system to send all its agendas and committee papers via Email including the LAF. The Forum however indicated that some members were not on the internet and were not Councillors and subject to the same requirements and it was AGREED that Forum members should be exempt from such a scheme and that there should be no change.

9.0 NEW LOCAL ACCESS FORUM

As the current term of existing members would end in September 2013 it would be necessary to select new Forum members for the next 3 year term. It was noted that there would be advertisements in local papers and notifications to various bodies and local councils. Existing members could re-apply. Following the establishment of the new Forum officers would be appointed. The Forum had to consist of between 12 and 22 members.

It was pointed out by members that it was vital to select members who could meet the aim of the Forum and that was to secure public access for example along the whole of the Coastal Path as large estates had not co-operated with this aim to date.

10. NEXT MEETING

It was noted that the next meeting was on the **24 SEPTEMBER 2013**

That concluded the business and the Chairman declared the meeting closed.

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CHAIRMAN

