

National Access Forum Written Contributions

NAFW 70: 9 November 2021

Introduction

This note is collated and edited by NRW from submissions from Forum members and NRW staff prior to National Access Forum Meetings to facilitate the sharing of information.

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The British Horse Society

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General interest

Active Travel

Active Travel proposals continue to have a detrimental impact on equestrians. We welcome the opportunity to discuss proposals with local authorities so that equestrians are included in such routes.

Policy and Legislation

2026 cut off date

We were pleased to receive the following clarification from the Welsh Government, 'The provision in the CROW Act relating to the 2026 cut-off date has not been implemented in Wales because we have concerns that it could present a barrier to our aim of enabling greater access to the outdoors. Our view was supported by public responses to our Sustainable Management of Natural Resources consultation of 2017, which indicated strong resistance to the proposal. We therefore have no plans to implement it.

I can confirm that it will not be brought into law and our Legal Services are working towards repealing the provision completely within this term of government.'

Campaigns and Events

Virtual Access Conference

We are holding our virtual Access Conference on 20 November

www.tickettailor.com/events/bhs/603142

Staffing

Appointment of Access Field Officer

We are pleased to announce that we have appointed an Access Field Officer for Wales. Helen Donnan will be taking up this position on 22 November.

Institute of Public Rights of Way and Access Management

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Third Survey on Impact of Coronavirus

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) has published the results of its third survey on the impact of coronavirus on public rights of way.

Rights of Way Officers from over 68 local authorities and nine National Parks Authorities across England and Wales responded to the survey, with 85 per cent reporting an increase in numbers using the public rights of way network. However, perhaps not surprisingly given the winter weather, others reported that numbers were lower than during the first lockdown in Spring 2020.

They also reported a backlog of maintenance work built up due to lockdown restrictions affecting repairs to bridges and gates. Many reported that increased usage and wet weather had created surface damage to footpaths because of churned up mud.

This increase in use was cited by 62 per cent of respondents as their top concern, with 52 per cent naming budget. Just under half (45 per cent) also referred to lack of staff and resource. Increased budget was also cited as one of the top measures needed to support services, with 62 per per cent referring to long term funding certainty.

Local authorities are also experiencing increased claims for unrecorded routes due to the proposed 2026 historic cut off set out in the Countryside and Rights of Way Act 2000. The survey revealed that the average existing backlog of claims to amend the definitive map was 62 per authority, although figures varied widely from two to 369. The average time to clear these backlogs with existing resource levels is estimated at 16 years.

The results of the survey can be found on the ADEPT website: <u>https://www.adeptnet.org.uk/documents/rights-way-survey-results-may-2021</u>

2026 Act affects ORPAs on border of England & Wales

In pockets across the country, pressure groups are beginning to increase existing backlogs of applications to modify the Definitive Map & Statement (DMS) due to a lack of certainty, and the longer the uncertainty continues and the closer the 2026 cut-off date gets, the greater the risk that such pressure will increase across the country as a whole (particularly in England). The increase in applications will be primarily in relation to routes shown on Ordnance Survey maps as Other Routes with Public Access (ORPAs). Such routes are generally shown on Highway Authorities' highway records and on their maintained List of Streets. The List of Streets confirms that they are highways maintained at public expense. What it does not do is clarify who is entitled to use these highways. Highway Authorities now refer to ORPAs under various different categories as highway hierarchies have changed over time, but historically they would generally have been known as unclassified roads (and are often unsurfaced or 'green lane' in

nature). There is a variety of opinion across Highway Authorities as to what rights these routes may have; i.e. a lack of consistency. Some authorities have entertained applications to modify the DMS for such routes, whereas others have refused on the basis they believe public vehicular rights exist over them. Clarification on this matter has previously been sought from DEFRA (Dave Waterman), and it was confirmed that an application to modify the DMS would be required to establish what public rights existed over unclassified roads. At a minimum, pedestrians would be entitled to use unclassified roads, but beyond that it is submitted each case would have to be looked at on its own merits.

Stakeholders with concern about rights being lost with the looming 'cut-off' date of January 1st 2026, are increasingly asking Highway Authorities to confirm that all ORPAs carry public vehicular rights. There are a variety of responses being given.

It is an issue that has been discussed by the National ADEPT Rights of Way Managers' Working Group and by some Local Access Forums.

It is contended that this issue can be adequately addressed through the upcoming regulations, e.g. that the List of Streets will be excepted from the cut-off date extinguishment provisions. Whilst this would be welcomed, it still wouldn't clarify what public rights exist over ORPAs, and thus would not prevent the submission of further applications to modify the DMS. Other alternatives could be; regulations confirm that unclassified roads carry public rights higher than footpath, albeit this may require additional primary legislation and consideration as to exactly what higher rights exist, or that regulations/ separate statutory guidance provide Surveying Authorities with an alternative to the modification application process for the ORPA type routes. Whatever the solution, an approach would be welcomed that would enable local authorities to provide the public with clarity and reassurance as to what public rights exist on such routes. without the need for concerned user groups to submit an application to modify the DMS. Based on current timescales it could be a significant number of years before all such applications will be investigated, and they can often lead to lengthy investigations, a public inquiry process and legal challenges. Given there are a few hundred ORPAs in some counties it is prudent that an efficient solution is found that will prevent the majority of these routes resulting in more applications to modify the DMS.

It is known that Welsh Government will not be enacting the 2026 cut-off date in Wales. Adept has therefore written to DEFRA and the 4 welsh border authorities have submitted support because of the anomalous problems that are going to arise for users on crossing the border.

National Parks

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Pembrokeshire Coast National Park Authority

General interest

Increase in visitor numbers to Pembrokeshire Coast Path National Trail

The Pembrokeshire Coast National Park Authority has seven concealed digital path user counters distributed along the Pembrokeshire Coast Path at relatively remote locations. These have been maintained at the same locations since 2006 to provide a sample of the Coast Path footfall and enable trend analysis.

The last "normal" year which was not affected by Covid lockdowns and travel restrictions was 2019. The total annual user count for the seven counters in 2019 was 176,802 (the highest annual total to date).

So far this year we have conducted a data collection for the six month period Jan-June 2021 which was 89,437. This is an increase of over 10% on the same period during 2019. Further data collection will take place in late October and in January 2022.

Ramblers Cymru

Rebecca Brough <u>Rebecca.Brough@ramblers.org.uk</u>

General interest

Path and Access Research

Ramblers GB are commissioning research to better understand the value of the network of Public Rights of Way and Access Land across England and Wales.

We know that it's a key and valuable infrastructure in enabling a happier and healthier society, however its taken for granted and experience of provision, quality and connectivity varies greatly. We need to better shout about its value and discover the best interventions to improve access for more people to green space. We'll be exploring the barriers, benefits and enablers to using the network; and making recommendations for network improvements.

We hope this will help us better understand our role as guardians of the path and access network, and steer a clear vision for Ramblers and others to ensure that everyone, everywhere can access a nature-rich walk from their front door using a world class path and access network'

Paths to Wellbeing project

All 13 roles of the Paths to Wellbeing team have now been recruited.

After a lot of interest from communities all across Wales, we have selected 18 communities to take forward to consultations to understand their need in regards to access, walking, and biodiversity improvements. We plan to launch the project with the chosen communities in November, subject to approval.

Policy and Legislation

Sustainable Farming Scheme: Access elements

A key focus for Ramblers Cymru over the coming year will be exploring how the emerging Sustainable Farming Scheme can best deliver access improvements.

We would welcome individual conversations with members of the National Access Forum about how we can work together to develop a model of support that meets the needs and aspirations of all stakeholders.

We plan to get in touch over the coming weeks, but please feel free to email if you want to start discussions: <u>Rebecca.Brough@ramblers.org.uk</u>

Active Travel Funding: support for Recreational Routes

After many years of advocating of a more inclusive funding approach through the Active Travel funds, we are delighted to see that Welsh Government have now allowed recreational routes to benefit from Active Travel Funds.

Ramblers Cymru is a member of the Active Travel Advisory Board and have consistently called for the Rights of Way network to be seen as integral to active travel, and for the huge funding discrepancies to be addressed.

We are pleased to see Local Authorites can now bid into the £75m annual Active Travel funds to improve 'recreational' routes. We are hopeful that the often unhelpful debates around 'Active Travel' paths and 'Recreational' paths can now be refocused to improve access for all purposes.

Funding & Resources

Ramblers Cymru Training offer

Whether you are looking to improve your navigation skills or your understanding of public rights of way, Ramblers Cymru offer lots of courses, free to members and volunteers, and open to all for a small fee (£15). We currently have several navigation courses available (delivered virtually).

https://www.eventbrite.co.uk/o/ramblers-cymru-3037015328

Campaigns and Events

Mark my Paths: signposting survey

Our Mark My Paths project was a volunteer-led initiative to assess the condition of roadside signage on the paths network in two counties in southeast Wales: Monmouthshire, and Torfaen.

The project was set up in close partnership with the local authorities, and despite running during the Covid lockdowns, we trained 29 volunteers who surveyed 1,222 signpost locations across the region.

Highway Authorities have a statutory duty to signpost Rights of Way where they leave a 'metalled road'. However, this research shows that 50% of signs were missing, making the path effectively invisible to the general public. Of the 50% that were in place, one in seven were damaged or overgrown.

As the pandemic has demonstrated, more and more people are looking to our path network and open spaces for recreation and wellbeing. Good quality signage, in the right places, is crucial to help people find their way, and we will be using the results of this work to support the case for more investment in the Rights of Way network.

One added benefit of the project was that one of the community councils involved decided to set up their own path maintenance group to improve local access.

Welsh Water

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General interest

Elan Valley Mountain Bike Developments

Elan Valley launched two brand new man-made mountain biking skill tracks over the summer adding to the already extensive portfolio of cycle trails across the Elan Valley.

The two new downhill skill tracks have been specially designed with drop-offs, tight bends, swooping bermed runs and exhilarating jumps aimed to test the abilities of both experienced and intermediate mountain biking enthusiasts. There is a blue graded track for more intermediate mountain bikers and a red, more challenging track for the more advanced, experienced riders.

Both tracks are just 1.5km long, free to use and easily accessible from the car park by Nantgwyllt Church. The project, which was part of Elan Links, was funded through a Visit Wales Tourism Amenity Investment Support grant.

Building on the success of the new mountain bike tracks, plans are afoot to develop a mountain bike hub at Elan Valley to improve the experience for cycling enthusiasts of all

abilities. Thanks to a Brilliant Basics grant from Welsh Government the bike hub will include a small workshop, wash down facilities, a Changing Places Toilet, shower and changing rooms.

Lisvane & Llanishen reservoirs in north Cardiff.

Following planning approval for a new visitor centre and footpaths at Lisvane & Llanishen reservoirs in June, Welsh Water is on track to appoint contractors before Christmas and to start works on site in the New Year.

To support the development of the reservoirs in Cardiff as a hub for health and wellbeing, a programme of volunteering and community activities are being rolled out prior to the site opening to the public, as part of an ENRaW project funded by Welsh Government. The programme aims to build community capacity and understanding of how to care for the ecologically important site by creating opportunities for individuals to learn new skills and reconnect with others and nature.

A major milestone has been achieved with the constitution of the Friends of Cardiff Reservoirs Group. Welsh Water worked with the Reservoir Action Group (RAG) to support the development of the group and there have been over 130 registrations so far. RAG fought for almost two decades to prevent housing development on the Lisvane & Llanishen Reservoirs site. The Friends of Cardiff Reservoirs is Welsh Water's first Friends of group, and it is hoped the group will be a model that can share good practice and enable similar community engagement across other Welsh Water Visitor Attraction sites.

Policy

Open Water Swimming

Through Welsh Water's Authorised Access to Water Policy, over 3,500 swimmers have taken part in organised open water swimming activities at Llandegfedd Lake, nr Pontypool, this summer. Up to eight open water swimming sessions have taken place each week for members of the public and so far over 500 swimmers have become a member of the swim club. Working with Swim Wales a series of events have been hosted at Llandegfedd and Llys y Fran in Pembrokeshire. These include Open Taster Sessions, a Junior European Selection Event and the Welsh Nationals including the Swim Wales Challenge Series.

Welsh Water is part of the <u>Water Safety Wales Forum</u>; a group of organisations working on water safety and drowning prevention in Wales. The company reminds people that *unauthorised* swimming at any of their reservoirs is prohibited and is extremely dangerous. Open Water Swimming sessions are regulated under the close supervision of our fully trained team. They only take place in strictly designated areas of the reservoir away from hidden machinery during organised, pre-booked sessions.

NRW

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Wales Coast Path 10th anniversary

The Wales Coast Path (WCP) will be celebrating its 10th anniversary on 5th May 2022, presenting an opportunity to celebrate and raise awareness of the path through sustainable activity.

Background

Being one of a few coastal foot paths to follow the entire coastline of a country, the 870 mile path was launched in 2012. It was met with plenty of positive media coverage, both nationally and internationally.

Since then, awareness of the path and its profile has increased due to sustained marketing activity, particularly since 2018.

For the past 3 years, with an increase in resources, WCP has expanded its marketing efforts which include:

- New content targeted at new audiences
- Increased engagement with businesses and the travel trade
- Creation of an official WCP app with a new track my walk function (to be launched late 2021)
- Creation of a Welsh language version of one of the 7 official guidebooks
- Creation of a merchandising strategy
- Creation of 70+ curated walking itineraries designed to inspire and encourage visits to the path
- Increased social media engagement

A reason to celebrate

The range of current marketing content reflects the paths diverse appeal and its wide and varied audience and cross cutting themes.

The path, along with the National Trails in Wales has been and continues to be part of Visit Wales' 'wider adventure offer' and a 'growing the destination experience':

- Outstanding landscapes passing through some of the most iconic areas of Wales
- Vibrant communities benefiting communities and local economies along the trails

• Epic Adventures – developing opportunities for visitors to experience the trails and multi activity visits

Initial discussions have already started with Visit Wales to consider these elements to celebrate the path's 10th anniversary as a year-long marketing campaign – bringing in PR, digital and media elements. The aims of the celebrations are to:

- Increase awareness of the benefits of the path
- Increase the usage and
- Inspire target audiences to enjoy it and appreciate it.

A suite of activity during 2022 will reflect these aims and potential partnerships will be forged to deliver these aims in a collaborative way.

More information will be made available as discussions on the suite activity are firmed up more – towards the end of 2021 and beginning of 2022.

Welsh Government

Sarah Smith <u>Sarah.Smith7@gov.wales</u>

Access Improvement Grant

The Access Improvement Grant (AIG) provides capital funding to access authorities to enable them to improve the public rights of way network and provide increased accessibility. For 2021/22, £2 million has been allocated (via formula) and can be used for any of the following:

- Physical improvements to existing routes (e.g. surface, furniture)
- Improvements to information and promotion (e.g. signage, way marking, leaflets, panels)
- Improvements to access/egress points to open access land and green space
- Accessibility improvements to outdoor access (e.g. surface, furniture, information).

Projects that will benefit from this year's funding include; bridge replacements, bridleway re-profiling, stile replacements with gates, creation of boardwalks and drainage improvements.

It is hoped that the AIG will continue to run next financial year (awaiting WG Ministerial agreement)

Wales Rights of Way Managers Working Group

Ceredigion County Council

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1. Project - Golf club Aberystwyth



Project overview

Path widening and surfacing improvements linking into areas of green space in Aberyswtyth. Path links student village to Penglais Nature Park, hospital etc - widening and surfacing helped remove barriers to accessing the countryside close to a settlement. As part of the project we also created a new hedge bank and planted a number of native broadleaved trees.

ROWIP targets met

- Theme 3, Action 1 To provide access for all in Ceredigion
- 1.1 Apply least restrictive access to all works undertaken on PROW
- **1.2** Create high quality, easy gradient, all-weather, stock- free access opportunities within communities.
- 1.3 Theme 3, Action 2 Promote walking opportunities within 3 miles of settlements
- 2.2 Identify linkages to good quality "green/blue spaces" near settlements,

Approximate cost = £35k (AIG funding)

2. Project Llanfihangel y Creuddyn



Project overview

Improving access along a footpath in a rural settlement with little other quality access provision. Removing barriers to the countryside; a previously wet and overgrown footpath now providing access for most throughout the year.

ROWIP targets met

Theme 3, Action 1 - To provide access for all in Ceredigion Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements

Approximate cost = £3.2k (AIG funding)

3. Project Aberaeron





Project overview

Improving surface of multi user route in a rural settlement; improving gates and signage Removing barriers to the countryside; a previously wet and muddy bridleway now providing access for most throughout the year.

ROWIP targets met

Theme 3, Action 1 - To provide access for all in Ceredigion
 Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements
 Theme 3, Action 3 - Promote cycling and horse-riding opportunities within close proximity of settlements

Approximate cost = £14.5k (AIG funding)

4. Project Bontgoch



Project overview



Improving access along a footpath in a rural settlement with little other quality access provision. Removing barriers to the countryside; a previously overgrown footpath now providing access for most throughout the year. Links to a local play area developed as part of a s106 agreement with redevelopment of nearby Water treatment site.

ROWIP targets met

Theme 3, Action 1 - To provide access for all in Ceredigion Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements

Approximate cost = £9.5k (AIG funding)

5. Project Cenarth



Project overview

Improving access along a footpath in a rural settlement with little other quality access provision. Removing barriers to the countryside; a previously inaccessible footpath with roots, rocks etc has been transformed to a route providing access for most throughout the year.

Route is approximately 650m long and is due for final completion in spring of 2022. Raw data from people counter indicates 30,000 visitors in a 6 month period in summer 2020. Constructed in part by volunteers and included on the adopt a path scheme

http://www.ceredigion.gov.uk/resident/coast-countryside/public-rights-of-way/gettinginvolved/

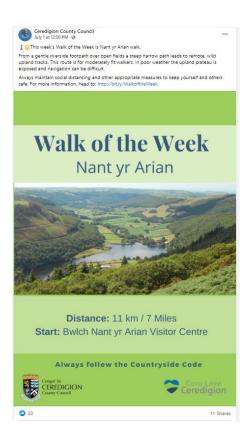
Trust fund established to help maintain the structure as part of the long term vision – collection boxes, QR codes located on site, in local businesses & online https://forms.ceredigion.gov.uk/ufs/CS PAYMENTS.eb?ebd=0&ebz=1 1635951846277

ROWIP targets met

Theme 3, Action 1 - To provide access for all in Ceredigion
Theme 2 Action 6 – Working in partnership
Theme 2 Action 2 – Working with volunteers
Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements

Approximate cost = £160k over three years (ENRAW & CCC funding)

6. Project - Walk of the week initiative



Project overview

To encourage greater awareness of walking opportunities in the County; helping meet economic, health, wellbeing objectives

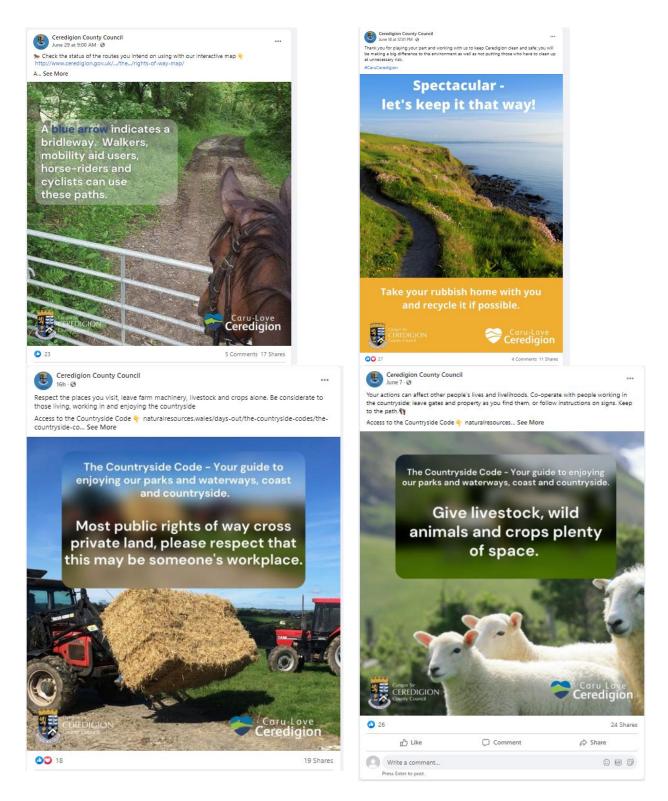
Over **300,000** people reached via social media –Walk of the Week etc (19/20 figures) Further info <u>http://www.ceredigion.gov.uk/resident/caru-ceredigion/</u>

ROWIP targets met

Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements Theme 2 Action 2 – Working with volunteers Theme 2 Action 6 – Working in partnership

Approximate cost = CCC staff & volunteer time

7. Project - Encouraging responsible behaviours



Project overview

Encouraging positive behaviours – regular social media updates on the CCC corporate social media pages. Also sent as part of regular updates to accommodation providers, tourism enterprises, community councils etc

Further info http://www.ceredigion.gov.uk/resident/caru-ceredigion/

ROWIP targets met

Theme 2 Action 2 - Provide information on countryside access opportunities in Ceredigion **Theme 2 Action 6** – Working in partnership

Approximate cost = CCC staff & volunteer time

8. Project – understanding customer needs

С	eredigion is a special place. Its mountains, valleys and estuaries, the oastline and waters of Cardigan Bay are valued by local people and visitors like.
Т	he County Council's Coast and Countryside Section plays a key role in the following areas:
	 public rights of way and countryside access, including public rights of way biodiversity and countryside conservation coastal and marine management
	xplore the website to find out more about Ceredigion's rich natural environment and the work of re Coast and Countryside Section.
	> Public Rights of Way
	> Conservation and Wildlife
	> Common Land and Town & Village Greens
	> Exploring Ceredigion
	> Countryside Code
Jf	Have Your Say you've taken a walk, horseride or cycle through the countryside of Ceredigion, the chances are nat you've used Public Rights of Way.
	hese are paths which nearly always cross privately owned land, but which members of the ublic have a right to use. They provide access to countryside for leisure, health and wellbeing.
	eredigion County Council, who maintain many of these paths, would like to know more about ow you use them and, if you don't, what could be done to encourage more people to access
	nese Rights of Way. Please spare a few minutes to answer some simple questions.

Project overview

Understanding customer needs – identifying gaps in provision. Providing evidence of need to future funding bids, creation of community access plans and informing future ROWIPs

ROWIP targets met

Theme 2 Action 2 – Working with volunteers
Theme 2 Action 6 – Working in partnership
Theme 3, Action 2 - Promote walking opportunities within 3 miles of settlements
Theme 3, Action 1 - To provide access for all in Ceredigion
Theme 3, Action 3 - Promote cycling and horse-riding opportunities within close proximity of settlements

Approximate cost = CCC staff & volunteer time

9. Project – Donate a gate scheme



Project overview

Applying a long term vision to managing green assets. Scheme is currently operating on the coast path and on a few other individual assets such as Cenarth Boardwalk. Looking to expand the rach and scope and place QR codes along other well used routes in the coming months. All money raised is banked in a dedicated trust fund which is ring fence and carried forward form year to year and can be used to maintain and develop the asset.

Approximate cost = CCC staff & volunteer time

Wrexham County Borough Council

Sion Roberts Sion.Roberts@wrexham.gov.uk

Wrexham CBC received an Access Improvement Grant of £70,452 from Welsh Government for this financial year. Part of the Access Improvement Grant funding has been spent on purchasing galvanised pedestrian gates together with the purchase and installation of a recycled plastic boardwalk on Wat's Dyke Way in Wilderness Mill Wood, Gwersyllt (see photo). Also a batch of waymarking discs which were distributed to some members of the Wrexham Ramblers group and Walkabout Wrexham group who have agreed to waymark some paths for us.

Before & After Photos

Public Footpath 21 in Gwersyllt (Installation of 60m recycled plastic boardwalk on Wat's Dyke Way at Wilderness Mill Wood).





