



Meeting Summary

Title of Meeting: National Access Forum for Wales: NAFW 63

Date of Meeting: 4th April 2019

Venue: Reichel Hall
Bangor University
LL57 2TW

Time of Meeting: 10:30 – 13:00

Attendance: Ruth Rourke (IPROW – Acting Chair) Jont Bulbeck (NRW, secretary), Susan Jackson (NRW), Neil Buffery (British Driving Society), Keith Jones (Angling Cymru), Steve Rayner (Canoe Wales), Stuart France (Cambrian Caving Council), Rachel Evans (Countryside Alliance – until 11:53), Charles de Winton (CLA Cymru), Arthur Lee (Disabled Ramblers), David Evans (Elan Valley Trust), Bernard Griffiths (FUW), Ani Sutton (Glandŵr Cymru), Rachel Lewis-Davies (NFU Cymru), Jonathan Hughes (National Trust), Max Grant (Open Spaces Society), Rebecca Brough (Ramblers Cymru), Mark Stafford-Tolley (Welsh Local Government Association), Sarah Smith (WG), Rowland Pittard (YHA), Rachel Parry (NRW), Elfyn Jones (BMC), John Morgan (Welsh LAFs), Peter Rutherford (Welsh National Parks), Peter Rutherford (Welsh National Parks), Steven Morgan (Sport Wales), Simon Pickering (Welsh Government) Catherine Williams (WATO), Roger Geffen (Cycling UK), Keith Davies (NRW)

Observers: Quentin Grimley (NRW), Dave Liddy (NRW), Eurwyn Edwards (Afon Dwyfor LAF), Margaret Grant (accompanying Max Grant)

Apologies: Howard Davies (NRW, Chair), Carys Drew (NRW secretariat) Gwyn Smith (Sustrans), Richard Ball/Anthony Richards (Welsh National Parks), Kerry Thatcher (Visit Wales), Mark Weston (BHS),

Presenters: Hannah Blythyn (Deputy Minister, Housing and Local Government, Welsh Government), Craig Grimes (Experience Community), Rachel Jarvis (NRW), Mefty Haider (NRW), Emma Edwards-Jones (Snowdonia Active/WATO), Stephen Marsh-Smith (Afonydd Cymru)

2. Government response to the SMNR consultation

The Chair introduced Hannah Blythyn AM, Deputy Minister for Housing & Local Government

The Deputy Minister presented the Welsh Government's statement responding to the 2017 consultation that set out its proposals for improving access in Wales, including new legislation.

[The full statement [issued at 11am on 4th April 2019] can be found here: <https://gov.wales/written-statement-government-response-taking-forward-wales-sustainable-management-natural-resources>]

The Deputy Minister added that many of the proposals in the 2017 consultation are broadly supported and the Government will work on those mostly technical proposals soonest – subject to work required around Brexit and available resources. Ms Blythyn concluded that she welcomed continuing a constructive relationship with the Forum and its members and invited questions.

A number of questions for the Deputy Minister were submitted by Forum members before the meeting. The Chair invited those that submitted questions to speak first.

Bernard Griffiths (BG) (FUW): BG noted that there had been 2 consultations with significant implications for access: the 'Sustainable Management of Natural Resources...' and 'Brexit & Our Land...' Would there be dialogue between the 2 groups developing detailed proposals?

Deputy Minister: there had already been discussion between the relevant Ministers, and also between Government officials. That will continue to be the case. **Simon Pickering (SP)** added that connections had been made with colleagues in the land section.

BG: If land managers are to be paid for access there will be a need to consider liability and related implications from provision of access on their land.

SP noted that is the sort of issue that will need to be discussed and welcomed further suggestions about key matters for consideration.

Stuart France [SF] (Cambrian Caving Council) raised the problem of terminology and interpretation within current legislation in relation to whether caving is considered to be an open-air recreation. He stated that it would be better if the legislation was clearer about what activities are allowed and that it would be more inclusive if an activity not referred to is assumed to be allowed.

The Deputy Minister asked SF to put those points in writing for Welsh Government to consider further.

SP noted that WG have followed NRW's interpretation on this matter but they will consider the matter further once they have SF's further information.

Roger Geffen (RG) (for Cycling UK, with British Horse Society]: Cycling UK mobilised support for Trails for Wales in response to the SMNR consultation. RG also noted that C-UK were very supportive of the proposals and to finding ways to support widening access for enjoyment of

the environment, for the economy and the other benefits access brings. Cycling UK and BHS wrote to Welsh Government proposing new multi-use National Trails in Wales [and the UK]. Cycling-UK's and BHS's proposal was based on existing rights but it needs work to better link and integrate access. Both organisations are keen to work with Government to find a way for the Government's proposals to achieve this, including joining-up with Active Travel work and any post-Brexit opportunities. [A copy of Cycling-UK/BHS letter was circulated at the end of the Forum meeting] **The Deputy Minister** responded that the government values integration between different uses, and the benefits that provides for communities, local transport and recreation; she agreed the matter needs to be explored further.

Rachel Lewis-Davies (NFU Cymru): Will there be a full Regulatory Impact Assessment of legislative proposals? The **Deputy Minister** confirmed there would be.

John Morgan (JM) (LAFs in Wales national representative): John raised the issue of different types of National Park designation and whether the Cambrian Mountains would be designated as a National Park.

The Deputy Minister replied that while she continues to have the portfolio [for designated landscapes] she doesn't have the detail related to the issue raised at this time and asked John to write to Government.

SP added that designation is assessed by NRW, and NRW have criteria for that process. Welsh Government would consider such issues within the context of the Government's 'Valued and Resilient' [policy document]. As part of that strategy, the Government would be looking at how other types of landscapes, outside the main two designation types, could contribute, including the Valleys Regional Park.

JM stated that although it is for NRW [to designate a national park] NRW would have to consider Welsh Government support and he would therefore like to know Government's position on designating the Cambrian Mountains.

Ruth Rourke (RR) (Chair, IPROW): In relation to changes to public rights of way (PROW) technical matters, would there be additional finance?

Deputy Minister: we are not in a position to give firm information about that at this point but will look at that in due course.

Pete Rutherford (PR), (Welsh National Parks): In relation to access to water, is Welsh Government looking to legislate - or continue with the current system, which hasn't worked?

Deputy Minister: We have decided not to legislate at this time. However, if there is no progress within a reasonable time then we will consider doing so.

PR added that there's a need to legislate and then find agreement.

SP replied on this point that Government was clear on its priority to expand access but was respectful of other users and was seeking collaboration in doing so, if possible. At this time consensus is not possible [for access to

water] and Government wish to see if progress can be made. **SP** also noted that if Government does legislate it has not stated what that legislation would be. However, they are hoping progress can be made working in a wider context and therefore at this time they wish to explore that further.

Steve Rayner (SR) (*Canoe Wales*) said that from a water sports perspective legislation is needed to level the playing field. What resource will be put forward to facilitate new access agreements or arrangements? **SP** said that [Welsh Government] officials were discussing with NRW opportunities and forums to take that forward.

Elfyn Jones (EJ) (British Mountaineering Council): proposals included extending CROW [Countryside and Rights of Way Act] access. Is access to the coast part of that?

Deputy Minister: yes, the Access Reform Group will be asked to consider that matter.

Roland Pittard (RPI) (Youth Hostel Association): there is a strong relationship between 'Active Travel' and PROW and recreational access. The development of footpaths could contribute to both. Will Government seek to synchronise Active Travel and recreational access?

Deputy Minister: yes, we recognise that issue and are putting more emphasis on integration. Her colleague, Lee Waters [deputy Minister for Transport] is looking at the matter at the moment in reviewing the working of the Active Travel Act. **RPI** noted that there needs to be long term financial support for implementing improvements.

Rachel Evans (RE) (Countryside Alliance): Rachel said the Alliance welcomed increased and improved access, so long as it was managed, and not detrimental to rural businesses, including anglers. They would welcome inclusion in any discussions, to represent interests of anglers.

PR: given the important role of National Park Authorities as Access Authorities they would wish to be involved on the Access Reform Group.

[The Deputy Minister left the meeting for another appointment at this point. However, the Forum continued the discussion for a period]

JM: LAF advice tends to be targeted at local authorities, NPAs and NRW. However, more recently resources often came through other bodies. He felt there was a need for an overview of such bodies and they need to receive advice of LAFs given their role.

RG: Active Travel guidance is currently up for review and there is therefore an opportunity for integration to be reflected there, and for Forum members to comment and influence. It is particularly at the urban fringe that the interface between active travel and recreational access needs most work.

Rebecca Brough (RB) (Ramblers Cymru): The Ramblers have raised the need to address the definitions that exist of leisure versus utilitarian needs. They had also noted there is a lack of money to implement improvements to recreational access.

RR noted that ROWIPs must consider Active Travel. It would be helpful to get a new Government steer/advice for local authorities about the integration between the 2 so they are properly considered as authorities are revising ROWIPs.

Mark S-T (MS-T) (Wales PROW Managers Working Group): Will PROW qualify for the land management scheme? A possible advantage of any post-Brexit scheme is that land managers should be required to meet their PROW and access duties before they qualify for any new public goods scheme.

BG suggested that the secretariat invite someone from Welsh Government to talk about the recreational access aspects of a future post-Brexit land management scheme.

SP replied that Government can advise the Forum when further information is available for that to be taken forward.

RL-D agreed with BG's point and noted that it is vital there is discussion with and understanding from those developing the schemes.

1. [continued – out of agenda order]

Following the Minister's presentation and discussion about the Government's access proposals the meeting returned to the earlier, omitted part of the agenda.

The Chair asked Jont Bulbeck to report on the Actions from the November 2018 meeting:

[Page 4] Action 62.2: Issue Position Statements consultation to NAFW members and NAFW members to respond.

The consultation was issued to members. Joe Roberts is in the process of revising the documents in the light of various internal and external comments he's received to date. He will let the Forum know when they are finalised and are available on NRW's website.

[Page 6] Action 62.2: Carys Drew to re-issue draft Terms of Reference (ToR) to members and included deadline for comment. Members to provide feedback on ToR and provide other relevant comments. Carys Drew to bring revised ToR to next Forum meeting.

The draft Terms of Reference were sent out after the meeting. A few comments have been received. Carys had been working on finishing the draft document based on the comments provided. However, this wasn't

quite completed before Carys went off sick. This also meant that the Terms of Reference item on today's agenda was now postponed.

The following revised action was therefore suggested:

New Action 63.1: Carys Drew to finalise the ToR document and issue the final draft to members after this meeting. The Forum will now consider and confirm the final ToR document at the Forum's July 2019 meeting.

[Page 7] Action 62.3: Carys Drew to investigate appropriate speaker in relation to Active Travel for future meeting.

Carys was not able to identify someone to attend this time. Therefore Action 62.3 will be carried forward to the next meeting. Members were asked to let Jont or Carys know after the meeting if they had suggestions as to who would be a good person to speak to the Forum on the issue.

[Page 7] Action 62.4: Carys Drew to contacts MoD contacts with regard to attendance at NAFW

Carys Drew contacted MoD about sending a representative to this Forum. Jont Bulbeck was not aware of their response but noted that no representative was at the meeting.

11:20

3. Wales for All – tools to describe the outdoors for disabled people

The Chair introduced **Craig Grimes**, from Experience Community. Rachel Parry from NRW was also in attendance.

Craig explained that Experience Community and NRW are looking at innovative ways to provide information that enables disabled people to make informed choices about visiting the outdoors. Craig then went through his presentation [circulated].

Craig explained that, borrowing from the colour grading scheme of skiing and mountain biking routes, access routes were looked at for a combination of criteria such as gradients, elevation gain and loss and barriers.

The grading system was then backed up with videoed information, an example of which was shown to the Forum.

The project was exploring better ways to provide information e.g. gradient and elevation information using GIS and phototrails. It was also looking at training volunteers to use the methods being developed, encouraging others to record routes and make the information more widely available.

Craig also noted that his experience has found that accommodation is often very difficult and frequently needs to be made better.

Action 63.2: Presentation to be circulated to members

4. Area Statements

Rachel Jarvis (RJ), Senior Natural Resources Advisor, NRW and **Mefty Haider (MH)**, Senior Natural Resources Advisor, gave a presentation to inform members about the process and emerging practice for developing Area Statements, the work carried out to date and how recreational access will be included. RJ and MH are part of NRW's team developing Area Statements in North Wales.

Mefty took the Forum through the background to Area Statements, the legislative context, including the integration between the Acts, sustainable management of natural resources [SMNR] principles and wellbeing goals. He also noted the new ways of working required by the legislation, with the need for collaboration within and between organisations.

The 3 key elements of the SMNR process are:

- the State of Natural Resources Report [SoNaRR] which sets out the evidence about the state of natural resources;
- the Government's National Natural Resource Policy [NNRP] which sets the national level policy priorities in response to SoNaRR.
- Area Statements (a requirement introduced by the Environment Act [Wales] 2016)

Area Statements will therefore set out how the NNRP will set out how the NNRP will be delivered within 'place'.

NRW will be producing 6 Area Statements for the land area of Wales plus 1 for Wales' marine area. They will be web-based and dynamic, evolving documents.

The Statements will include 'Area Profiles' and set out [initially draft] 'emerging themes. The drafts of these will form the basis of consultations with stakeholders and partners.

The presentation then gave examples of profile information for outdoor access about 'open greenspaces' and 'Active Travel'. **Rachel Jarvis** added that the high-level themes in the Statements will be a key area for discussion with stakeholders.

RR asked how the Statements will link to public benefits. Ruth gave an example of a route in her authority with lots of different issues. Will this process help to address and resolve such matters and how can this group help?

MH: the engagement process should help to pick up these types of projects and opportunities to resolve them by starting a 'conversation' about them.

RR: How will this lead to projects?

MH: projects should be informed by common evidence from partners and stakeholders; by agreement on what are the key issues; identification of mechanisms, delivery organisations. He noted that matters will need to be addressed at different scales: some will need national level working and therefore national level organisations to address them.

JM: a key point in the process will be the evaluation of options and the benefits from them. At the moment approaches are informal. Have NRW developed methods for assessing more objective approaches to option evaluation?

MH: that will in part be through the process of engaging with stakeholders and partners. **SP** added that Welsh Government have developed national indicators by which progress with natural resource management will be judged).

RL-D: As a land manager this seems conceptual and abstract. It doesn't work for people on the ground at a practical level. There's a need to consult with people to provide a shared vision.

KD: that is the stage that NRW has reached; to have those consultations to describe that vision, nationally, and locally through the Area Statements.

RP (YHA): It will be a significant challenge for organisations to engage with 7 Area Statements. Is there a way for that to happen nationally?

MH: that is also part of the process.

12:10

5. Adventure Smart UK: latest development and launch of new website

Emma Edwards-Jones (EE-J), projects manager for Snowdonia Active, presented the Adventure Smart UK (AS-UK) work which is about people being active and enjoying the outdoors safely. The information, which uses a behavioural change approach, is targeted at entry level participants (not expert practitioners), and aims to reduce avoidable call-outs of rescue organisations.

The project is a collaboration of around 30 organisations.

Adventure Smart Wales launched in 2018 and the new UK-wide project builds on that work. The original work was funded by Visit Wales and linked to their promotional themed years [Year of Adventure and Year of the Sea].

EE-J ran through the communication principles, the importance of how the messages are communicated, such as through the use of images, video and well thought out messages:

- *Think about gear you'll need [for your activity]*
- *Check and watch the weather*
- *Have the right skills [for the activity you're undertaking]*

She noted that AS-UK is envisaged being used by other organisations and is being rolled out across the UK on a regional, destination basis.

The Welsh website is:

<http://www.adventuresmartwales.com/en/home/>

There are also social media campaigns, posters and a business tool kit. All of these resources can be used by other organisations.

The project has also linked to new facilities like the weather station on Snowdon.

Other support includes promotion by JD Sports, BMC and Ramblers.

New Action 63.3: Forum members should contact EE-J or Paul Donovan for further information or about the available resources

5. the Terms of Reference item was deferred to the next meeting

6. Afonydd Cymru

Presentation from Dr Stephen Marsh-Smith (SMS) about the work of Afonydd Cymru [the Rivers Trusts Wales]. The presentation was also an application for membership of the Forum.

[The Chair noted that all membership is on the basis of the Forum's Terms of Reference - a revised version is to be confirmed in July]

Afonydd Cymru is an umbrella organisation that represents six Rivers Trusts across Wales:

- Clwyd, Conwy & Gwynedd
- Severn
- South East Wales
- Welsh Dee
- West Wales
- Wye & Usk Foundation

For more about the organisation see:

<http://afonyddcymru.org/>

SMS led the work of the Wye and Usk Foundation for several years and remains a Director. Dr Marsh-Smith's work has included the development of recreational access arrangements for paddlers to sections of the Rivers Wye and Usk.

Afonydd Cymru (AC) is particularly working to enhance fish in Wales and the conditions that enhance fisheries and angling. SMS gave examples of work such as: developing fish passes, habitat restoration, INNS control; the fish passport scheme - improving fishing access for a wider audience.

When working with the Wye & Usk Foundation SMS had developed canoe access through development of arrangements on the Usk and Wye rivers at times of suitable flow and at times that did not conflict with the best angling times. The arrangements also helped meet the concerns of fishing and land managers. Information about arrangements includes provision of web pages, maps, live web cams, signage and phone information. SMS reported that the work had run for a period of 12 years, had reduced conflicts. He felt it was a rebuttal of the negative attitude of the British Canoe Union and Wales Canoeing Association and provide a solution to the current navigational issues providing multiple benefits.

The Chair invited questions for SMS:

PR congratulated SMS on the work he been involved in. He felt that generic arrangements are not working across Wales and there are several examples of conflict. SNPA themselves have put in arrangements on the Upper Conwy. But feels it needs to be legislated on to be taken forward – not everywhere at all times – in his view based on CROW legislation.

SMS replied that it needs willing partners.

PR noted that it's not expensive to provide ingress and egress points, signage and other necessary infrastructure. However there is a need to reduce legal liability arising from such access.

Application Discussion

[At this point in the meeting the Chair asked SMS and non-Forum members to leave the room so the Forum could discuss Afonydd Cymru's application for membership of the Forum.]

The Chair reminded the Forum of the Application Process

RR stated that membership of the Forum, and therefore applications for membership, are on the basis of the Forum's Terms of Reference [Jont noted that the most recent draft ToR had been sent to SM-S].

Jont outlined that the aim of the discussion about the application is to reach a broad (not necessarily unanimous) consensus about whether to accept membership from Afonydd Cymru. The main criteria for members to consider are:

- Whether the organisation have demonstrated a sufficient interest in recreational access to and engagement with the outdoors
- That the organisation has sufficient experience and expertise that is relevant to and can inform the work of the Forum
- That the organisation has demonstrated that it agrees to membership based on the [draft] Terms of Reference

- And finally, there is broad agreement of members to the applying organisation becoming a member of the Forum
- An alternative outcome if there is significant difference of views is for an organisation to receive papers rather than have a seat as a full member. Ultimately NRW has to decide on such matters, although NRW will generally follow the broad consensus where one is reached

Following discussions and comments from members the following actions and points were summarised:

Action[s] 63.4

- a. **There was not a consensus reached on AC's membership based on the presentation of SMS.**
- b. **The presentation was felt to be too focused on regional working at the individual River Trust level**
- c. **Members wanted further information from SMS as to the relevance of Afonydd Cymru's access work to the national-level working of the Forum and for that to be shared with members**
- d. **SMS/NRW should be asked to provide the NRW-Afonydd Cymru Memorandum of Understanding. This is also to be shared with Forum members as further information for consideration**
- e. **An item to be included on the July 2019 meeting's agenda to conclude on the application**
- f. **SMS should be invited as an observer to the next meeting**

Those asked to leave were invited back once the discussion had finished.

7. Contributions from Members

RL-D circulated information from NFU Cymru for Forum members.

Action 63.5: NRW to add the NFU(C) information to the NAFW Contributions document before that it is added to the Website.

8. Any Other Business

No other business was raised

9. Forward Look & dates of next meetings

2nd July 2019 – Mid Wales (venue to be confirmed)

5th November 2019 – South Wales (venue to be confirmed)

Action 63.6 NRW will set dates for the 2020 Forum meetings to inform members in time for the next meeting.

13:00

Lunch