



# Meeting Summary

<b>Title of Meeting:</b>	<b>National Access Forum (NAFW 62)</b>		
<b>Date of Meeting:</b>	6 December 2018 10.30 – 13:00	<b>Venue:</b>	Bute Park Education Centre, Cardiff, CF10 3DX
<b>Present:</b>	Howard Davies (NRW, Chair) Carys Drew (NRW secretariat), Keith Jones (Angling Cymru), Mark Weston (BHS), Steve Rayner (Canoe Wales & WATO), Stuart France (Cambrian Caving Council), Rachel Evans (CA), Charles de Winton (CLA Cymru), Arthur Lee (Disabled Ramblers), David Evans (Elan Valley Trust), Bernard Griffiths (FUW), Ceri Davies (Glandŵr Cymru), Ruth Rourke (IPROW), Rachel Lewis-Davies (NFU Cymru), Jonathan Hughes (National Trust), Beverley Penney (Open Spaces Society), Rebecca Brough (Ramblers Cymru), Gwyn Smith (Sustrans), Mark Stafford-Tolley (Welsh Local Government Association), Sarah Smith (WG), Rowland Pittard (Youth Hostel Association), Nicola Rimington (NRW), Joe Roberts (NRW), Jont Bulbeck (NRW)		
<b>Observers:</b>	Gary Davies (Angling Cymru), Chris Dale (Swansea LAF), Bob Denley (Ramblers Cymru), Paula Renzel (Ramblers Cymru), Robin Simpson (Cardiff LAF), Gilian Otlet (WG)		
<b>Apologies:</b>	Elfyn Jones (BMC), Neil Buffery (BDS), Chris Tomley/Duncan Green (Land Access and Recreation Association), John Morgan (Welsh LAFs), Richard Ball/Anthony Richards/Peter Rutherford (Welsh National Parks), Steven Morgan (Sport Wales), Kerry Thatcher (Visit Wales),		

Item No:	Item	Action
1.	<b>Welcome and Apologies</b>	
	Howard Davies welcomed everyone to the meeting and reminded everyone that they were welcome to contribute in Welsh or English whichever their preference. Howard has taken over the Chair from Ruth Hall who he noted had done a great job carrying out the role over several years.	
	All actions outstanding from previous meetings had been completed.	
	<b>In relation to ‘Action 59.1: Secretariat to liaise with Welsh Government to invite Hannah Blythyn AM, Minister for Environment to a future meeting’.</b> The Minister had been invited to attend this meeting but had declined due to expected change in First Minister.	CD

Carys Drew will liaise with Welsh Government to arrange an appropriate time to attend a future meeting.

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## 2. Shoreline Management Plans (SMPs) and managing access

Overview of SMPs and how they affect access Nicola Rimington, Senior Marine and Coastal Physical Scientist

Nicola Rimington provided an introduction and to the development of Shoreline Management Plans (SMP). She set out the National Assembly for Wales 2005 definition of SMP as:

*'a (non-statutory) document that provides a large-scale assessment of the risks associated with coastal processes and presents a policy framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner'*

Nicola noted that the current SMPs are the second round of plans, the first ones were developed in the early 2000s. SMPs set out a framework and process for the management of the coast and that of neighbouring authorities e.g. in terms of longshore drift and to avoid unintended consequences. The current round of SMPs have been developed following the detailed [Defra Guidance](#) with a greater focus on the future, longer term planning and taking the right approach with environmental assessment and other matters. SMPs are 100-year plans with 3 epochs: 0-20 years (2005-2025), 20-50 years (2025-2055), 50-100 years (2055-2105).

Whilst there is detailed Guidance, they are all slightly different. Nicola shared extracts from the plans to enable people to see what an SMP looks like and the sort of information and evidence they contain the plans should inform planning and marine licensing decisions.

There are four SMPs relevant to Wales which are developed by Coastal Groups and made available online on their respective websites.

Nicola set out why SMPs are needed, demonstrated by reports following storm damage and cost of repairs following the winter storms in 2013/14. NRW produced a report with contributions from several other organisations in which it was noted that 70 locations on the Wales Coast Path had been damaged during this period with approximate £340,000 cost to repair damage. Whilst acknowledging that it is an important asset, the report notes the challenges of managing such a route in the dynamic coastal environment.

Nicola concluded her presentation noting that whilst SMP are a good start, there is more to be done to improve them. In relation to public access for example, the implications of the Highways Act 1980 were

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not well understood when the SMPs were being developed. There is now greater recognition that it is a difficult area to deal with and a learning curve for coastal engineers. She suggested that there is a need to plan and work with stakeholders and aim for access solutions that stakeholders are happy with, and that are secure and sustainable in the long term. She closed by posing the question of whether the Highways Act 1980 should be amended to allow changes to PROW as part of integrated management of coastal change.

**Discussion points:**

- 'Managed retreat' and 'managed realignment' are the same thing but the most recent Defra Guidance refers to 'managed realignment'. In practice it may mean retreat, but for example in sand dune systems management measures may be involved.
- Low-lying farm land can be important and valuable for farming and business.
- In terms of public involvement in the SMP process, there was a question of whether there is a potential role for NAFW to help with engagement at high level.
- The Wales Coastal Groups Forum is chaired by the Welsh Local Government Association, and this represents a useful route for engagement with the NAFW.
- Suggestion that people look at the SMPs and at the stretches of coast where change in policy is coming quite quickly (i.e. between epoch 1 and 2).
- Noted that the local highway authority is put in a very difficult position in their role to safeguard public access, and don't have a mechanism to get a solution, it was suggested that Welsh Government need to consider legislative change to address this.

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**3. NRW Recreation, Access, Education, Community and Regeneration Position Statements**

An update and opportunity to feed into the development of the second phase of Position Statements Joe Roberts, NRW

Joe Roberts thanked National Access Forum for the useful comments members had provided to the pilot phase of the Position Statements, these were now in use and available on the NRW [website](#). He then shared a presentation to review the basis for developing Position Statements and the next phase of this work.

The purpose of Position Statements is to:

- Formalise a standard management approach across all NRW sites

- Support NRW land managers
- Reduce the need to respond to formal requests for information from the public
- Communicate key issues with partners and
- Help direct interested parties to the online permissions system (in development)

Position Statements sit between external and internal guidance and accessible and technical guidance.

Topics for Position Statements had been given a hierarchy for the order in which they are produced. The second phase Position Statement cover the following activities are:

- Running and Walking
- Open Fires and Fireworks
- Metal Detecting
- Gold Panning
- Camping and Vehicle Camping
- Rock and Winter Climbing
- Unmanned Aircraft

Joe went through some of the key concerns raised so far and made members aware that the feedback of the National Access Forum and other key national stakeholders would be very welcome as part of targeted consultation.

**Action 62.1:** Issue the Position Statements consultation to NAFW members and NAFW members to respond.

#### **Discussion points:**

- Important to consider that the position taken by NRW will have an impact on neighbouring landowners. It would be beneficial to consider issues in consideration of this through a slightly wider lens.
- Disabled access (both mental and physical disabilities) should be considered. Discussion about whether there should be a specific Position Statement on this or whether least restrictive access should be considered as part of every Position Statement.
- References to commercial services in Position Statements are in relation to whether land managers want more formal relationship with commercial users.
- NRW does not need or want users to request permission where there is existing legitimate use.
- Rules are only as good as the enforcement. NRW need to demonstrate policy and catch people not adhering to policy, including outside of normal working hours. There should be processes to see whether they are working in practice.

- Large events should contribute to the upkeep of infrastructure or damage caused because of the event.
- Position Statements are not a management intervention but rather a mechanism for consistent approaches.
- There is a need to define 'commercial' and how it will work in practice and the interface between commercial activity and outdoor education.
- Feedback on the Position Statements will be taken back to the working group and will need to reflect the way NRW can manage. The Statements will be live for one year to take account of feedback received after they are issued.
- In relation to managing anti-social behaviour this affects private landowners as well as NRW and there is a benefit to having key consistent messages to share. Noted that issues are a symptom of other things and the context of the management of public goods within the agricultural support system.

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#### 4. **Caving: The World Below Our World**

Stuart France, Cambrian Caving Council

Stuart France gave a photographic presentation that showed the interest and experience of caving.

Caves have long been regarded as special places - for religious and cultural reasons, for shelter and security and even secrecy. Caves have inspired art both in ancient times and in our own era. Endangered wildlife also relies on caves to survive. Caves preserve invaluable scientific evidence of the past. So their discovery, exploration and conservation are all intertwined.

Stuart shared information around a range of themes in caving. Highlighted included geological wonders and conservation interests, detailed mapping, activity planning and health and safety matters that emphasised the high level of expertise and commitment from cavers for responsible access.

Examples were given of the different approaches from land managers across other parts of the UK to managing cave entrances. Stuart explained the challenges of differing views about whether cavers have a right of access under current legislation. British Caving Association and Cambrian Caving Council interpret that CROW Act 2000 and Land and Property Act 1925 give them a right of access for caving. Government bodies including NRW interpret that this legislation does not provide a right of access for caving.

Stuart went on to share examples of historic military defence and secret bunkers that can be explored by cavers which provide further interest and historical elements. He talked about how commercial groups have started to provide experiences for people wanting to try out caving as well as educational opportunities.

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Stuart finished by sharing an organogram of how caving is organised in Wales and the various stakeholders. Cambrian Caving Council is the representative body for caving in Wales and we are also part of the British Caving Association which covers the British Isles.

**Discussion points:**

- The presentation provided a valuable insight into the world of caving
- In terms of number of participants in Wales, Stuart suggested there are some 6,000 members signed up to British Caving Association and some 1,000 active cavers in Wales.
- Caving used to be popular activity for student unions however now this is not allowed unless professionally led.
- Importance of having a good relationship with landowner
- Jont Bulbeck noted that NRW had simply given its understanding and interpretation of caving access rights under the CROW Act and Law of Property Act. Jont noted this is our long-standing interpretation, not a preference, and is not determined by conservation issues. NRW's has consider the issue with Defra and Natural England and have arrived at broadly the same view.

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## 5. Terms of Reference and Privacy Notice

### Terms of Reference (ToR)

Carys Drew advised that the ToR for the Forum were out of date. She had used the 2001 ToR as the basis of producing an updated draft. Carys will issue the draft from comment by email and would be grateful for comments and feedback on them from the perspective of members. Members are also welcome to provide more general comments and thoughts about the Forum.

**Discussion points:**

- Discussion around the value of the Forum from the perspective of NRW and member organisations.
- Usefulness of discussions within the Forum between members representing other organisations.
- NRW is trying to facilitate collaboration and there had been an attempt to capture a sense of this in the revised, suggestions for further enhancing this would be useful.

**Action 62.2:** Carys Drew to issue draft Terms of Reference (ToR) to members and include deadline for comment. Members to provide feedback on ToR and provide other relevant comments. Carys Drew to bring revised ToR to next Forum meeting.

## Privacy Notice

A Privacy Notice has been prepared for NAFW and this was shared with members. This is in line with General Data Protection Regulations (GDPR) to clearly state the way in which NRW uses the information held about member representatives. The Privacy Notice will be published on NRW's website.

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## 6. Contributions from all

Several members had submitted written contributions which had been collated and circulated.

IPROW: Ruth Rourke noted that staff changes were taking place and there would be an update on this at the next meeting.

CLBA: noted that recent work focussed on the recent WG '*Brexit and our Land*' consultation and related matters.

Ramblers Cymru: Ramblers Council have passed a resolution on the Cwm Ivy situation. Ramblers Cymru has won the bid to deliver a seven-day national walking event for the Wales Coast Path in 2019. The event, which follows the Visit Wales 2019 theme 'Year of Discovery', will feature up to seven coastal walks in seven locations from north east to south east, over the first three weekends in May.

Sustrans: Gwyn Smith noted that Sustrans has carried out a review of the National Cycle Network 'Paths for Everyone' which included proposals for improvement. Nine pilot projects were being undertaken, some of which were well advanced.

Youth Hostel Association: Rowland Pittard noted that YHA had been taking an interest in Active Travel and noted that Transport for Wales is now involved, and some local authority staff had moved to that organisation. It would be useful to have an interface with Active Travel and understand what is happening. Rowland suggested seeking an appropriate speaker for a future meeting.

Rowland asked whether MoD still had an access forum and suggested it would be good to make contact.

**Action 62.3:** Carys Drew to investigate appropriate speaker in relation to Active Travel for future meeting.

**Action 62.4:** Carys Drew to contact MoD contacts with regard to attendance at NAFW.

Welsh Government: Sarah Smith said that they were expecting to issue a Written Statement with regard to the access elements in the *Taking Forward Wales' Sustainable Management of Natural*

*Resources* in the New Year. Timing would be dependent on whether there was any change in Minister.

Countryside Alliance: Rachel Evans flagged up the ongoing work they were continuing for health and wellbeing. She noted that 'Fishing for schools' receives a third of its applications from Wales.

Howard Davies closed the meeting by thanking all the speakers, he noted a number of actions including how NAFW engages with Wales Coastal Groups Forum. He then asked whether any observers wished to speak.

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## 7. Comments from observers

Bob Denley, Swansea Ramblers had attended because of interest in the item on Shoreline Management Plans. He noted the point in that presentation about conflict between the Highways Act and maintaining coastal defences. There is an ongoing local example of this at Cwm Ivy where the public right of way runs along the sea wall which has now been breached. Bob Denley outlined the background to this and ongoing issues with NRW.

Howard Davies, thanked Bob for raising the matter and suggested that he could speak further to Jont Bulbeck. Nicola Rimington had touched on the point that the access issues had not been well understood, and this example had highlighted the matter for future projects.

Jont Bulbeck acknowledged the difficulty of the situation and the tensions between shoreline management and access rights. He agreed to discuss the matter further with Bob Denley.

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## 8. Dates of next meetings

- ~~5<sup>th</sup> March 2019 – North Wales (venue to be confirmed)~~
  - *Post meeting note: next meeting will be held in Bangor University on 4<sup>th</sup> April 2019.*
  - 2<sup>nd</sup> July 2019 – Mid Wales (venue to be confirmed)
  - 5<sup>th</sup> November 2019 – South Wales (venue to be confirmed)
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